

**Texas Council for Developmental Disabilities
Quarterly Meeting
Embassy Suites San Marcos Hotel
1001 East McCarty Lane
San Marcos, Texas 78666**

Meeting Schedule

Wednesday, August 5, 2015

3:00 PM – 6:00 PM
Executive Committee Meeting
Room: Chautauqua Salon A

Thursday, August 6, 2015

9:30 AM – 1:45 PM
Committee of the Whole
Room: Veramendi Salon G
Lunch provided for Council Members and staff

2:00 PM – 4:30 PM
Project Development Committee Meeting
Room: Chautauqua Salon A

Public Policy Committee Meeting
Room: Chautauqua Salon B

Friday, August 7, 2015

9:00 AM – 11:00 AM
Council Meeting
Room: Veramendi Salon G & H



Texas Council for Developmental Disabilities

Executive Committee Meeting - Agenda

Embassy Suites San Marcos









Room: Chautauqua A

Wednesday, August 5, 2015 3:00 PM – 6:00 PM



Action Item

Call to Order

1. **Introductions of Committee Members, Staff and Visitors**
2. **Public Comments**
3. **Consideration of May 6, 2015, Minutes** Tab 1 
4. **Chair's Report**
 - A. Selection of TCDD Executive Director
 - B. Council Member Absences
 - C. Council Member Requests/Projects
 - D. Outreach and Development Projects Suspension
 - E. Other Updates
5. **Executive Director's Report** Tab 2
 - A. Stipends Approved
 - B. Staff Updates
 - C. Other Updates
6. **Grants Activities Reports** Tab 3
 - A. Grants and Projects Update
 - B. Independent Audit Status Report
 - C. Grants Monitoring Exceptions Report
7. **Travel Support for Public Members of Advisory Committees** Tab 4 
8. **Review Panel Recommendations - Culturally Appropriate Family Supports** Tab 5 
9. **Consideration of Continuation Grant Awards** Tab 6
 - A. The Arc of Texas – *DD Policy Fellows* 
 - B. Texas Tech University – *Project SEARCH* 
 - C. Volar Center for Independent Living – *Building Community Capacity Through Collaboration* 
10. **Memorandum of Understanding with Texas Education Agency** Tab 7 
11. **TCDD Quarterly Financial Report** Tab 8
12. **FY 2016 Operating Expense Budget** Tab 9 
13. **Conflict of Interest Disclosures**
14. **Other Updates**

Adjourn



Texas Council for Developmental Disabilities

Committee of the Whole Meeting - Agenda

Embassy Suites San Marcos

Room: Veramendi Salon G

Thursday, August 7, 2015 9:30 AM – 1:45 PM



Action Item

Call to Order

1. Introductions
2. Public Comments
3. Chair & Executive Director Remarks
 - A. Member and Staff Reports
 - B. Executive Director Selection
 - C. Other Updates

4. **84th Texas Legislature Update**

Tab 10

5. **Council Challenge**

Lunch Buffet

6. **FY 2017 – 2021 State Plan Goals & Objectives**

Tab 11

Adjourn



Texas Council for Developmental Disabilities

Project Development Committee Meeting - Agenda

Embassy Suites San Marcos

Room: Chautauqua B

Thursday, August 6, 2015 2:00 PM – 4:30 PM



Action Item

Call to Order

1. Introductions
2. Public Comments
3. Consideration of May 7, 2015, Minutes
4. Chair's Remarks
5. Member Updates
6. Staff Reports
 - A. Status of New Projects
 - B. Projected Available Funds
 - C. Other Updates
7. Partners in Policymaking Executive Summary
8. Future Project Funding Priorities
9. Other Discussion Items

Tab 12



Tab 13

Tab 14

Adjourn



Texas Council for Developmental Disabilities

Public Policy Committee Meeting - Agenda

Embassy Suites San Marcos

Room: Chautauqua A

Thursday, August 6, 2015, 2:00 PM – 4:30 PM



Action Item

Call to Order

- 1. Introductions of Committee Members, Staff and Visitors**
- 2. Public Comments**
- 3. Consideration of May 7, 2015, Minutes**
- 4. Chair's Remarks**
- 5. Member Updates**
- 6. Public Policy Issues**
 - A. State Policy Issues
 - B. State Supported Living Center Activities
 - C. Federal Policy Issues
- 7. Bullying in the Workplace**
- 8. Public Information Report**
- 9. Other Discussion Items**

Tab 15



Tab 16

Tab 17

Tab 18

Adjourn



Texas Council for Developmental Disabilities

Council Meeting - Agenda

Embassy Suites San Marcos








Room: Veramendi Salon G & H

Friday, August 7, 2015 9:00 AM – 11:00 AM



Action Item

Call to Order

1. **Introductions of Members, Staff and Visitors**
2. **Public Comments**
3. **Consent Items**
 - A. Consideration of Minutes Tab 19 
 - B. Excused Absences of Council Members 
4. **Chair's Report**
5. **Executive Director's Report** Tab 2
 - A. Staff Update
 - B. Other Updates
6. **Future Activities for State Plan Implementation**
 - A. Partners in Policymaking Tab 13 
 - B. Travel Support for Public Members of Advisory Committees Tab 4 
 - C. Future Project Funding Priorities Tab 14 
7. **Memorandum of Understanding with Texas Education Agency** Tab 7 
8. **FY 2016 Operating Expense Budget** Tab 9 
9. **Executive Committee Report**
 - A. Grants Activities Report Tab 3
 - B. Grant Awards Tab 5-6
 - C. TCDD Quarterly Financial Report Tab 8
 - D. Conflict of Interest Disclosures
 - E. Other Discussion Items
10. **Project Development Committee Report**
 - A. Grants and Projects Report
 - B. Other Discussion Items
11. **Public Policy Committee Report**
 - A. Public Policy Issues Tab 16
 - B. Public Information Report Tab 18
 - C. Other Discussion Items Tab 17
12. **Announcements and Updates** Tab 20

Adjourn

Executive Committee Meeting Minutes		Tab 1
<p><u>Background:</u></p> <p>Minutes of the May 6, 2015, Executive Committee meeting are included for your review.</p>		
<p><u>Executive Committee</u></p> <p><u>Agenda Item 3.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will review, revise as appropriate, and approve.</p>	

**EXECUTIVE COMMITTEE MEETING
DRAFT MINUTES
MAY 6, 2015**

COMMITTEE MEMBERS PRESENT

Mary Durham, Council Chair
Kristen Cox

Michael Peace
Lora Taylor

COMMITTEE MEMBER ABSENT

Gladys Cortez

COUNCIL MEMBER PRESENT

Andy Crim

STAFF PRESENT

Roger Webb,
Executive Director
Martha Cantu
Joanna Cordry

Cynthia Ellison
Wendy Jones
Susan Mihalik
Jessica Ramos

Joshua Ryf
Koren Vogel

CALL TO ORDER

The Executive Committee of the Texas Council for Developmental Disabilities convened on Wednesday, May 6, 2015, in the Limestone 2 Room at the Marriott Austin South, 441 South IH-35, Austin, TX 78745. Council Chair Mary Durham called the meeting to order at 3:45 PM.

1. INTRODUCTIONS

Committee members and staff were introduced. It was noted that Gladys Cortez' flight had been delayed accounting for her absence.

2. PUBLIC COMMENTS

No public comments were offered.

3. CONSIDERATION OF MINUTES

The minutes were reviewed and no additions or corrections were noted.

MOTION: To approve the minutes of the February 4-6, 2015, Executive Committee meeting as presented.

MADE BY: Kristen Cox

SECOND: Michael Peace

The motion **passed** unanimously.

4. GRANTS ACTIVITIES REPORTS

Council Chair Mary Durham revised the order of the agenda to prioritize items requiring certain TCDD staff member participation so that those items could be addressed earlier allowing staff to leave the meeting when finished.

Senior Grants Management Specialist Cynthia Ellison reviewed the Independent Audit Status Report and noted no issues or concerns. She discussed the Grants Monitoring Exceptions report and noted that most of the items indicated as “pending” on the report have completed the requested paperwork since the time of printing. Ellison further reported on the risk assessments for the projects that will be considered for continuation funding and noted no concerns.

Executive Director Roger Webb discussed staff concerns about delays in receiving the “final report of expenditures” and a final payment request from some grantees. He noted that this can create complications in assuring TCDD funds are fully expended and in knowing the amount to award for the following year. This situation is not common, and is generally limited to larger organizations such as universities that are not dependent on TCDD funds for cash flow. Webb and grants staff have discussed options to withhold a portion of that final payment request with the amount of withheld funds increasing over time. He advised that if Council members wish to amend Council policies to specify time constraints for reimbursements, TCDD may need to publish a proposed rule revision in the Texas Register in addition to amending Council policies. The Council could review and approve posting proposed Rule revision for public comments during the August meetings. Any comments received could be reviewed at the November meeting, and a final Rule adopted. At that same meeting, the Council could approve an amendment to Council Policies with more specificity about the process. Once approved, staff can provide guidance to grantees and likely would include a new “assurance” for grantees to acknowledge as a condition of receiving DD funds. Committee members directed staff to research how other councils handle this issue and draft proposed revisions to policy. Webb will also discuss with TCDD’s general counsel.

5. CONSIDERATION OF OUTREACH AND DEVELOPMENT PROPOSAL – CENTER FOR ACCOMMODATIONS AND SUPPORT SERVICES

Planning Coordinator Joanna Cordry reviewed the purpose of the Outreach and Development projects and noted that one additional project can currently be funded. One proposal was received during the quarter from the University of Texas at El Paso Center for Accommodations and Support Services. Per the proposal, the organization would train and support 15 Hispanic students with disabilities to receive culturally appropriate leadership and advocacy training through a Photovoice project. This would be an expansion of a current project. TCDD staff review suggests that the mission of the department is not in line with the purpose of Outreach and Development projects to increase access to culturally appropriate services. Committee members did not offer motion regarding this proposal therefore no action was taken.

6. CONSIDERATION OF CONTINUATION GRANT AWARDS

TCDD Grants Management Specialist Susan Mihalik reviewed the executive summary for continuation funding to Educational Programs Inspiring Communities for an enabling technology project. During the first three years of the project, an inventory management application for use with tablet computers (iPads) was designed for use by adults with intellectual and

developmental disabilities. Participants in the program manage inventory in vending machines and assessments show increased familiarity with the iPads and the modules for the application. The fourth year of the project proposes expansion to other businesses with possible test sites such as Papa John's pizza or other fast food chains. Mihalik discussed the lack of employment outcome data from the grantee and Committee members requested that this be provided.

MOTION: To approve up to \$225,000 in continuation funding to Educational Programs Inspiring Communities for the 4th year of a 5-year enabling technology project with the request for additional data by June 30, 2015.

MADE BY: Lora Taylor

SECOND: Michael Peace

The motion **passed** unanimously. (Attachment 1)

Grants Management Specialist Mihalik reviewed the executive summary for continuation funding to Strategic Education Solutions for an enabling technology project. The project has developed an online Virtual Job Coach program that assists adults with cognitive disabilities with career planning, job search and sustaining employment. During the first three years of the project, 50 modules have been designed for the program and have been used by 25 participants. The fourth year goals include expansion to additional pilot sites and identifying additional distribution partners. No concerns were expressed regarding this project.

MOTION: To approve up to \$224,925 in continuation funding to Strategic Education Solutions for the 4th year of a 5-year enabling technology project.

MADE BY: Michael Peace

SECOND: Lora Taylor

The motion **passed** unanimously. (Attachment 2)

Mihalik next reviewed the executive summary for continuation funding to Imagine Enterprises for a Self-Advocates as Speakers project. This project recruits, trains and supports self-advocates from diverse backgrounds to present in local and state venues where their message will have an impact. Project goals include training at least 15 participants per year. 15 were trained in the first year and 24 were trained in the second year. Many of the participants have presented at venues such as school board meetings, civic organization meetings and conferences such as Texas Advocates and Inclusion Works. The project will continue training participants, develop additional sites for training and modify curriculum as needed. No concerns were expressed for this project.

MOTION: To approve u to \$125,000 in continuation funding to Imagine Enterprises for the 3rd year of a 4-year Self-Advocates as Speakers project.

MADE BY: Kristen Cox

SECOND: Lora Taylor

The motion **passed** unanimously. (Attachment 3)

Mihalik next reviewed the executive summary for continuation funding to the Coalition of Texans with Disabilities for a Developmental Disabilities Policy Fellows project. She reminded members that Chris Masey is the fellow in this project. Mr. Masey provided information to Council members during the February meeting o advocacy strategies in preparation for legislative visits. Masey is focusing on the policy areas of employment, early childhood intervention and personal attendant wages and is providing training for young self-advocates as well as attending meetings, legislative hearings and other workshops. He will continue these activities for the second year of his fellowship. No concerns were noted for this project.

MOTION: To approve u to \$67,500 in continuation funding to Coalition of Texans with Disabilities for the 2nd year of a 2-year Developmental Disabilities Policy Fellows project.

MADE BY: Lora Taylor

SECOND: Michael Peace

The motion **passed** unanimously. (Attachment 4)

Grants Management Specialist Wendy Jones presented the executive summary for continuation funding to the Epilepsy Foundation of Texas for the Get FIT Texas health and fitness project. This 12-week health and wellness program serves adults with developmental disabilities in the rural areas surrounding Austin, Dallas, Plano, Houston, San Antonio and Lubbock. In the first three years of the project, over 250 participants have developed an at-home “Get FIT” plan. Participants have shown a 30%-60% improvement in fitness measures, body composition measures, quality of life scores and health screen tests. Jones reports there are no compliance issues with the project and no other concerns were noted.

MOTION: To approve u to \$250,000 in continuation funding to Epilepsy Foundation of Texas for the 4th year of a 5-year health and fitness project.

MADE BY: Lora Taylor

SECOND: Michael Peace

The motion **passed** unanimously. (Attachment 5)

Grants Management Specialist Jones presented the executive summary for continuation funding to Region 1 Education Service Center (ESC) for Family Involvement in Schools project. Region 17 ESC has worked to build collaborations with schools in 4 districts and provide training for parent involvement. In the first two years of the project, more than 45 parents have been trained and over 250 have attended ARD meetings. Scholarships have also been provided for parents to attend conferences on Autism, Inclusion and Building Strong Families. Goals for the third year include continuing with trainings and increasing the number of home and school activities that districts provide to parents of students with disabilities. No issues or concerns were noted for this project.

MOTION: To approve up to \$300,000 in continuation funding to Region 17 Education Service Center for the 3rd year of a 5-year Family Involvement in Schools project.

MADE BY: Lora Taylor

SECOND: Kristen Cox

The motion **passed** unanimously. (Attachment 6)

7. TCDD QUARTERLY FINANCIAL REPORT

TCDD Operations Director Martha Cantu reviewed the quarterly financial report noting that there is \$221,392 remaining from FY 2014 funds that will need to be obligated to grant projects by September 30, 2015.

The Notice of Grant Award for FY 2015 was received and TCDD received funds in the amount of \$4,742,116. This was a decrease of approximately \$62,000 from FY 2014 funds even though there was a slight increase expected. Executive Director Webb and directors from other DD Councils have questioned officials with the Administration on Intellectual and Developmental Disabilities (AIDD) but were assured that funding was calculated correctly using the current formula. Discussions are in progress to review the funding formula, specifically the "hold harmless" provision and how it effects funding in years with only a minimal increase in appropriations.

TCDD funding projections suggest a slight shortfall for FY 2015 that staff view as very manageable. Expected savings from operating expenses and unused grant funds will even out the projected negative balance, even if all planned projects are implemented with current timelines.

Cantu reviewed the current year Operating Expense budget, noting that 46% of budgeted amounts have been expended for the first 6 months of the fiscal year. TCDD staff examined expenses for staff benefits during this year and discovered that health insurance premiums for TCDD retirees are charged back to TCDD. Staff were unaware of this expense until now and will plan accordingly for FY 2016. For FY 2015, the variance will be covered by savings from unused salaries, professional services and out-of-state travel.

Staff and Committee members discussed activities to be included in the FY 2016 Operating Expense budget and noted that a planned training on “Undoing Racism” will be a new expense. The details of this training are being processed but it is expected to be available for interested staff, some Council members and possibly advocates from other organizations. Committee members supported adding this activity to projected expenses for FY 16.

8. CONFLICT OF INTEREST DISCLOSURES

Committee members reviewed updated conflict of interest disclosure information for Council members and staff. No concerns were noted.

9. CHAIR’S REPORT

Chair Durham reported on absences that were expected during the meetings including Mateo Delgado, Dana Perry and John Thomas. She also noted that she received a resignation from Diana Kern who is serving in a hold-over capacity from her term that expired February 1, 2015. Kern noted that health issues prevent her from continuing with Council activities and her resignation will be forwarded to the Governor’s appointments office.

Durham discussed Committee assignments for members and noted that Lora Taylor has agreed to Chair the Public Policy Committee. She replaces Kristen Cox who was elected as Council Vice-Chair. Taylor has asked Kristine Clark to serve as Vice-Chair of that Committee. Other Committee assignments include Andy Crim to the Project Development Committee noting that he was not assigned to a Committee in his previous terms as Council Vice-Chair. New members Ruth Mason, Michael Peace and Brandon Pharris have requested assignment to the Public Policy Committee and John Thomas has requested assignment to the Project Development Committee. To maintain a balance of members on each Committee, Mateo Delgado and DARS representative Jennifer Kaut have agreed to move to the Project Development Committee. Council Vice-Chair Cox becomes Chair of the Audit Committee and past Committee Chair Crim remains on that Committee along with Scott McAvoy and John Thomas. Taylor rotates off the Audit Committee to serve as Chair of the Public Policy Committee.

Durham next reported on succession planning activities and the search for a new Executive Director. She noted that 12 applications were received with 3 considered to have met the minimum education and experience for screening. The selection team reviewed those applications in detail and scored each based on the applicant’s documentation of their knowledge, skills and abilities. Seven applicants have been selected for interviews which are scheduled for May 27-29, 2015. The selection team expects to interview 2-3 finalists in early June. Durham further noted that there will be an expected vacancy from the time of Executive Director Webb’s retirement on June 12, 2015, until the new director can begin the position, possibly in mid-July or early August. Durham discussed options to handle the vacancy including the appointment of an acting director from current TCDD staff or the hiring of an interim director from outside the agency. She noted that her preference is to follow current TCDD Emergency Backup procedures which name Operations Director Martha Cantu as Acting Director.

MOTION: To appoint Martha Cantu as TCDD Acting Executive Director during the vacancy between Roger Webb's retirement and the start date for the new Executive Director.

MADE BY: Mary Durham

SECOND: Lora Taylor

The motion **passed** unanimously. Executive Director Webb discussed the duties of an Acting Executive Director to continue key activities without disruption and to have clear signatory authorization for various business matters. Cantu will be a point of contact for the designated state agency and other entities as well as coordinate collaborative efforts between the TCDD management team to carry out agency business.

Durham discussed the NACDD conference planned for July 21-23, 2015 in Sparks, NV. Planning Coordinator Joanna Cordry and Communications Coordinator Joshua Ryf will attend and Durham offered the opportunity to other Executive Committee members as part of the conference included training for Council leadership.

Durham reported that TCDD's Sunset Bill, HB 1679, was heard in the Senate Health and Human Services Committee that morning and was passed unanimously. The bill continues TCDD as an agency through 2027. The next step is approval by the full Senate.

10. EXECUTIVE DIRECTOR'S REPORT

Executive Director Webb reviewed stipend awards that were approved during the past quarter to the following applicants:

- Texas Parent to Parent: Events stipend for up to \$6,000 for the 11th Annual Texas Parent to Parent Conference on June 11-13, 2015, in San Marcos.
- Childhood Apraxia of Speech Association of North America: Speakers stipend for up to \$6,000 for the 2015 National Conference on Childhood Apraxia of Speech on July 9-11, 2015, in San Antonio.
- Harris County Department of Education: Speakers stipend for up to \$4,900 for the HCDE Summer Autism Institute on June 22-25, 2015, in Houston.
- University of North Texas Kristin Farmer Autism Center: Events stipend for up to \$4,750 for the Adventures in Autism Intervention and Research Conference on July 25, 2015, in Denton.

Webb provided an update on the TCDD staff and reviewed an updated organizational chart that includes the new Planning Specialist position. Interviews for this position have been conducted and a selection is expected in the next few weeks. Ashley Ford was recently selected as the new Public Policy Assistant and began with the agency on May 1, 2015. She has a Bachelor's Degree in Public Administration from Texas State University and completed a year-long internship with State Representative Zerwas during the 83rd Texas Legislature. Webb also reported on the extended medical leave of Grants Management Director Sonya Hosey noting that she has been under doctor's care since February but has been working part-time from home as her health

allows. Senior Grants Management Specialist Cynthia Ellison has been coordinating many of Hosey's duties during her absence.

Webb provided members with a list of proposed legislation that may impact state agencies. He noted that significant changes will be made to the way agencies handle contracts but that TCDD is already in compliance with those directions.

ADJOURN

Chair Durham adjourned the Executive Committee at 5:51 PM.

Roger A. Webb
Secretary to the Council

Date

Attachments

Texas Council for Developmental Disabilities`

Executive Committee

Date: 5/6/2015

Review of Proposed Activities & Budget

ITEM: A

Grantee: Educational Programs Inspiring Communities

Year: 4 of 5

Project Title: Enabling Technology

Project Location: Houston

Website: www.heartprogram.org

TCDD RFP Intent: The project intent is to assist Texans with developmental disabilities in attaining competitive employment opportunities. Grantees will develop and implement a plan to demonstrate to employers, people with developmental disabilities, and/or family members ways in which available assistive technology can enhance job performance and increase employment options.

Authorized Funding: TCDD has approved up to \$225,000 per year for up to three years with an option of funding years four and five.

Expected Results: Adults with Intellectual and Developmental Disabilities (IDD) will have access to technology that will enable them to complete job tasks more efficiently and independently. This technology will be shared with other organizations to promote the hiring and support of people with IDD.

Project Goals and Accomplishments for Year(s) 1-3:

Goal: The goal of this project is to design, develop, deploy, and evaluate an interactive customized mobile tablet solution that will increase the employability of low-income adults with developmental disabilities in the HEART Program

Accomplishments per goal: In year one, the grantee administered a survey to program participants to gauge technology proficiency; Modules for the app were defined and designed. An evaluation was developed to solicit feedback from pilot participants. In year two, the project partner fully coded and deployed all aspects of the app which were designed and defined in the first year. The app was tested and de-bugged first by project staff. Participants were provided with training on how to use the iPads per needs assessment. Testing of the entire application by pilot participants began in the last quarter of year two. During the third project year, new modules were designed, coded and added to the app. Testing continued and the app was fine-tuned. The app was deployed to program participants to begin using in HEART's in-house inventory environment and with HEART's vending machine job training and employment program. By conducting pre and post assessments, the grantee has determined that the participants have increased their familiarity with the iPads.

Proposed Goals and Objectives for Year 4:

Goal: Same as above

Objectives: Support the HITS app by designing and implementing change requests to current system; Maintain the HITS app by conducting system updates and deploying change requests to the HITS app; Create a stand-alone inventory module for use outside of The HEART Program; A business will be selected and the app will be designed with input from a representative of the business.

Council Considerations:

Public Policy Considerations: EPIC is working to modify the app so it can be used in other environments.

Since DARS is in the business of recruiting employers willing and interested in hiring people w/disabilities, PP staff encourage collaboration so that DARS has tangible recommendations for how employers can simplify training and production methods for all employees.

Grant Management Considerations: No concerns; high risk monitoring (awards within awards)

Staff Recommendation: TCDD staff recommends Council consideration of continuation funding for this project.

Continuation Budget Detail Summary			
	Federal	Match	Totals
Expended Year 1 (Consultant: \$175,000)	\$225,000/\$225,000	\$75,000/\$100,456	\$300,000/\$325,456
Expended Year 2 (Consultant: \$175,000)	\$225,000/\$225,000	\$85,000/\$136,613	\$310,000/\$361,613
Expended Year 3 (7 months) (Consultant: \$175,000)	\$225,000/\$117,924	\$90,000/\$46,880	\$315,000/\$164,804
Amount requested for Year 4 budget:			
I. Personnel Services	40,018	0	40,018
II. Travel	0	0	0
III. Purchased Services (\$175,000 consultants)	177,000	95,000	272,000
IV. Property/Materials	743	0	743
V. Rental/Leasing	879	0	879
VI. Utilities	6,360	0	6,360
VII. Other (Indirect Costs)	0	0	0
Budget period totals	\$225,000	\$95,000	\$320,000

Texas Council for Developmental Disabilities`

Executive Committee

Date: 5/6/2015

Review of Proposed Activities & Budget

ITEM: B

Grantee: Strategic Education Solutions

Year: 4 of 5

Project Title: Enabling Technology

Project Location: Houston

Website: www.strategicedolutions.com

TCDD RFP Intent: The project intent is to assist Texans with developmental disabilities in attaining competitive employment opportunities. Grantees will develop and implement a plan to demonstrate to employers, people with developmental disabilities, and/or family members ways in which available assistive technology can enhance job performance and increase employment options.

Authorized Funding: TCDD has approved up to \$225,000 per year for up to three years with an option of funding years four and five.

Expected Results: Adults with cognitive disabilities will have access to a low-cost instructional resource that will assist them with career planning, the job search, and sustaining competitive employment.

Project Goals and Accomplishments for Year(s) 1-3:

Goal: To provide adults with Cognitive Disabilities and caregivers a comprehensive, accessible, and low-cost instructional resource that supports them through their career planning, job search, and employment journey.

Accomplishments per goal: In year one, the grantee developed content for 30 modules in the area of job search skills. 15 pilot participants of diverse autism diagnosis, gender, ethnic, and socioeconomic backgrounds were recruited. The website was launched and the grantee deployed 10 modules for participant testing. In year two, the Virtual Job Coach (VJC) team developed 20 additional user modules. The grantee recruited one teacher and 10 students from a mixed high school transition class who have been using the training site since September, 2013. The project partner responsible for technology deployment developed a feature that enables support staff to create "classes" of users, assign content on a customized schedule, and monitor users' progress. In year three, the project focused on forming partnerships with new organizations to establish new pilot groups. The grantee will support a new pilot in a Project SEARCH site in Fort Bend, TX. Several pilot testers have gained meaningful employment. The project director has met with local agency staff (DARS, TEA, WorkForce) to discuss statewide implementation of the VJC.

Proposed Goals and Objectives for Year 4:

Goal: Same as above

Objectives: Identify product distribution partners/channels; Engage and oversee pilots; Support the product on an ongoing basis; Evaluate project activities and effectiveness; Recruit, convene, and monitor Project Advisory Committee (PAC).

Council Considerations:

Public Policy Considerations: The development of a standalone application that is portable across settings and simple to use is consistent with sustainability goals. The app seems to be ready for prime time. PP staff hope that the app soon will be widely available to people with disabilities and that we may start promoting it.

Grant Management Considerations: No concerns; high risk monitoring (awards within awards)

Staff Recommendation: TCDD staff recommends Council consideration of continuation funding for project.

Continuation Budget Detail Summary

	Federal	Match	Totals
Expended Year 1 (Consultant: \$147,827)	\$224,967/\$224,967	\$27,617/\$29,995	\$252,584/\$254,962
Expended Year 2 (Consultant: \$156,180)	\$225,000/\$225,000	\$50,042/\$55,603	\$275,042/\$280,603
Expended Year 3 (9 months) (Consultant: \$150,680)	\$225,000/\$136,423	\$72,571/\$30,795	\$297,571/\$167,218
Amount requested for Year 3 budget:			
I. Personnel Services	72,000	43,008	115,008
II. Travel	0	0	0
III. Purchased Services (\$152,925 consultants)	152,925	30,532	183,457
IV. Property/Materials	0	588	588
V. Rental/Leasing	0	200	200
VI. Utilities	0	672	672
VII. Other (Indirect Costs)	0	0	0
Budget period totals	\$224,925	\$75,000	\$299,925

Texas Council for Developmental Disabilities

Executive Committee

Date: 5/6/2015

Review of Proposed Activities & Budget

ITEM: C

Grantee: Imagine Enterprises

Year: 3 of 4

Project Title: Self-Advocates as Speakers

Project Location: Statewide

Website: www.imagineenterprises.org

TCDD RFP Intent: To develop a project that will support and promote a diverse pool of self-advocates who can present or serve as facilitators or mentors at in-state conferences or training events.

Authorized Funding: TCDD has approved up to \$125,000 per year for up to four years.

Expected Results: There will be an increase in the number of organizations that include self-advocates as speakers, facilitators, and mentors in conferences or trainings.

Project Goals and Accomplishments for Year(s) 1-2:

Goal: Project Sharing Personal Experiences and Knowledge (SPEAK) will recruit, train, and support at least 15 self-advocates per year from diverse backgrounds to present in local and state venues where their message will have an impact. At least 50 self-advocates will have been trained by the close of this project.

Accomplishments per goal: In year one, Project SPEAK coordinated efforts with three organizations that will serve as training sites for participants and created an info sheet and application process. Project staff created a curriculum that is used to conduct both a three-day and one-day follow up training. 15 SPEAKers were recruited and trainings began in February, 2014. Self-Evaluations are provided to SPEAKers during the trainings in order to encourage reflection and the desire to improve. In year two, the grantee trained 24 total SPEAKers from four different sites: Dickinson Independent School District (ISD), Family to Family, Texas Tech University, and Alvin ISD. Twenty of the 24 participants have presented at a variety of venues including a school board meeting, civic organization meetings, the 2014 Texas Advocates conference, and the Inclusion Works conference. The project began collaborating with another TCDD project to encourage SPEAKers to share their stories with legislators. All training materials have been translated into Spanish.

Proposed Goals and Objectives for Year 3:

Goal: Same as above

Objectives: Implement the infrastructure plan for the Project SPEAK, including modifications of the curriculum for self-advocates, needed supports for project outcomes and sustainability by May 31, 2016; Develop and implement marketing strategies; Develop three Project SPEAK team sites to recruit five participants per site (15 new participants total per year), to train and sustain as speakers, facilitators or mentors by May 31, 2016; Coordinate each Project SPEAK team site to prepare and deliver a minimum of one presentation per member at in the local area and at least two state conferences by May 31, 2016.

Council Considerations:

Public Policy Considerations: It appears that the SPEAKers are doing great work. This year they are going to take their stories to individual legislative offices and speak at a legislative breakfast event. These self-advocates are experiencing public policy advocacy and advancing self-determination. PP staff request a list of speakers and their topics so that we may support their efforts, collaborate when appropriate, and recommend speakers for engagements.

Grant Management Considerations: No concerns; considerable risk monitoring (awards within awards; award amount)

Staff Recommendation: TCDD staff recommends Council consideration of continuation funding for this project.

Continuation Budget Detail Summary

	Federal	Match	Totals
Expended Year 1 (13 months) (Consultant: \$25,974)	\$124,999/\$111,493	\$41,767/\$27,633	\$166,766/\$139,126
Expended Year 2 (8 months) (Consultant: \$23,844)	\$125,000/\$76,360	\$51,316/\$27,821	\$176,316/\$104,181
Amount requested for Year 3 budget:			
I. Personnel Services	82,947	18,422	101,369
II. Travel	5,868	1,200	7,068
III. Purchased Services (\$22,194 consultants)	36,150	23,700	59,850
IV. Property/Materials	35	1,420	1,455
V. Rental/Leasing	0	0	0
VI. Utilities	0	3,000	3,000
VII. Other (Indirect Costs)	0	0	0
Budget period totals	\$125,000	\$47,742	\$172,742

Texas Council for Developmental Disabilities`
Executive Committee

Date: 5/6/2015

Review of Proposed Activities & Budget

ITEM: D

Grantee: Coalition of Texans with Disabilities

Year: 2 of 2

Project Title: Developmental Disabilities Policy Fellows

Project Location: Statewide

Website: www.txdisabilities.org

TCDD RFP Intent: The project intent is to hire and support a Developmental Disabilities Policy Fellow to increase the capacity of individuals and organizations in Texas to engage effectively in developmental disability policy advocacy and to increase the number of individuals who have the skills, knowledge and experience to work effectively in developmental disabilities policy.

Authorized Funding: TCDD has approved up to \$67,500 per year for up to two years.

Expected Results: New policy-focused professionals will receive training and mentoring to effectively work together with self-advocates and families to create the policies and procedures of the future.

Project Goals and Accomplishments for Year 1:

Goal: Through professional development, in-depth public policy research, and meaningful interactions with Texans with self-advocates and their families, CTD will develop a Fellow who has the skills, knowledge, and experience to work effectively in developmental disabilities public policy.

Accomplishments per goal: In year one, the grantee recruited and hired a Policy Fellow. The Fellow has chosen three policy focus areas: employment, Early Childhood Intervention (ECI), and personal attendant wages. The Fellow has created consumer surveys to solicit input on these three focus areas and the surveys have been distributed statewide. The mentor and Fellow have recruited 15 young self-advocates to participate in Advocacy Corps (A-Corps) and will be providing training sessions to members throughout 2015; Recruitment for A-Corps is ongoing. The Fellow has been attending the Hogg Policy Academy and has also attended a variety of agency, legislative, and partner meetings. In addition, the Fellow attended several workshops and symposia in year one.

Proposed Goals and Objectives for Year 2:

Goal: Same as above

Objectives: The Fellow will build upon the knowledge gained in year-one of public policy issues regarding Texans with developmental disabilities; The Fellow will provide training and support for self-advocates with developmental disabilities (and their families) on key research issues, and relevant public policy topics.

Council Considerations:

Public Policy Considerations: DD Fellow Chris Masey is engaged in a number of policy advocacy discussions and has taken the lead on high profile issues with unlikely allies. PP staff anticipate reporting objective and substantial outcomes at the May meeting.

Grant Management Considerations: No concerns; moderate risk monitoring (new grantee)

Staff Recommendation: TCDD staff recommends Council consideration of continuation funding for this project.

Continuation Budget Detail Summary			
	Federal	Match	Totals
Expended Year 1 (4 months) (Consultants: \$0)	\$67,500/\$14,188	\$27,011/\$3,993	\$94,511/\$18,181
Amount requested for Year 3 budget:			
I. Personnel Services	64,246	14,969	79,215
II. Travel	0	0	0
III. Purchased Services (\$0 Consultants)	490	6,200	6,690
IV. Property/Materials	0	0	0
V. Rental/Leasing	2,764	1,360	4,124
VI. Utilities	0	0	0
VII. Other (Indirect Costs)	0	0	0
Budget period totals	\$67,500	\$22,529	\$90,029

Texas Council for Developmental Disabilities`

Executive Committee

Date: 5/6/2015

Review of Proposed Activities & Budget

ITEM: E

Grantee: Epilepsy Foundation of Texas (EFTX)

Year: 4 of 5

Project Title: Health & Fitness – Get FIT (Fitness, Integration, Training) Texas

Project Location: Statewide rural communities

Website: <https://www.getfittexas.org>

TCDD RFP Intent:

The RFP intent is to demonstrate how appropriate supports may help people with developmental disabilities to participate in exercise and nutrition programs. Grantees are expected to demonstrate how to: 1) Provide *individualized*, inclusive recreational fitness programs to people with developmental disabilities to assist them to reach their goals in fitness, recreation, and overall wellness and 2) Provide training and/or technical assistance to enable service clubs and volunteer organizations to, if necessary, alter their culture and activities to support full and equal participation by people with developmental disabilities in a way that will promote participation in recreational programs based on interest and wellness goals.

Authorized Funding: TCDD has approved up to \$250,000 for up to five years.

Expected Results: At least 2 sustainable programs will be created or modified to provide individualized community health and fitness programs/opportunities for people with developmental disabilities. Data will be collected on each project's impact for at least 30 people per site.

Project Goals and Accomplishments for Years 1-3:

Goal 1: Implement a health and wellness curriculum and fitness program for individuals with developmental disabilities (DD) and epilepsy, as well as their caregivers.

Goal 2: The project will focus on the rural Texas communities and expand to West Texas, serve at least 250 individuals total (years 1-3).

Accomplishments per goal:

A comprehensive, 12-week health and wellness program was created to improve the physical fitness, nutrition and healthy lifestyles of adults with DD and epilepsy and their caregivers. First year total enrollment was 88, which was expanded to 200 by the end of the second year, and 250 by the middle of the third year. The development of an individualized Get FIT plan of action with "at home activities" was created and applied. The program served rural areas surrounding major cities including Austin, Dallas, Plano, Houston, San Antonio, and Lubbock. The project started expanded into schools in the third year, with a small program in the CyFair schools district near Houston. Grant participants were monitored and showed improvements in fitness measures (chair squat, plank, sit and reach), body composition measures, quality of life scores, and health screen tests.

Proposed Goals and Objectives for Year 4:

Goal: Same as above.

Objectives: 1) Include more preventative health screening services such as lipid and glucose testing; 2) Establish project sustainability sources like becoming a Medicaid provider enabling our participants to bill through the state Medicaid, additional grants and sponsors; 3) Maintain our current partnerships and provide services to 300 individuals with developmental disabilities and their caregivers

Council Considerations: Public Policy Considerations: Get FIT wants to advance preventative health programs, like Get FIT, by advocating inclusion as a Medicaid benefit. PP staff recommend that the grantee approach Medicaid managed care companies in their service areas to gauge interest in using Get FIT as a "value added service."

Grant Management Considerations: No concerns; extensive risk monitoring (amount, award-within-award).

Staff Recommendation: TCDD staff recommends Council consideration of continued funding for this project.

Continuation Budget Detail Summary			
	Federal	Match	Totals
Expended Year 1 (Consultant: \$35,000)	\$249,538/\$249,538	\$80,848/\$81,869	\$330,386/\$331,407
Expended Year 2 (Consultant: \$59,375)	\$249,750/\$249,750	\$83,624/\$95,341	\$333,375/\$345,091
Expended Year 3 (8 months)(Consultant: \$62,550)	\$250,000/\$161,872	\$85,004/\$54,384	\$335,004/\$216,256
Amount requested for Year 2 budget:			
I. Personnel services	174,112	84,771	258,883
II. Travel	2,836	0	2,836
III. Purchased services (\$62,550 consultants)	64,050	6,573	70,623
IV. Property/Materials	9,002	1,500	10,502
V. Rental/Leasing	0	10,914	10,914
VI. Utilities	0	0	0
VII. Other (Indirect Costs)	0	0	0
Budget period totals	\$250,000	\$103,758	\$353,758

Texas Council for Developmental Disabilities`

Executive Committee

Date: 5/6/2015

Review of Proposed Activities & Budget

ITEM: F

Grantee: Region 17 Education Service Center

Year: 3 of 5

Project Title: Family Involvement in Schools

Project Location: Bailey, Lamb, Hale, Floyd, Motley, Cottle, Cochran, Hockley, Lubbock, Crosby, Dickens, King, Yoakum, Terry, Lynn, Garza, Kent, Gaines, Dawson, Borden **Website:** None

TCDD RFP Intent:

The intent of the Family Involvement in Schools proposal is for one project to recruit, engage, empower and support families of children with special needs attending schools in the Region 17 Educational Service Center (ESC) to become involved with their child's public school.

Authorized Funding: TCDD has approved up to \$300,000 for up to five years.

Expected Results: At least 2,220 parents or other family members (including fictive kin) who have children attending schools in the Region 17 ESC will be actively engaged in schools and other education-focused community collaborative efforts because they receive training and other necessary services to support that involvement.

Project Goals and Accomplishments for Years 1-2:

Goal: Build collaborations within ESC 17 to demonstrate ways to create measureable improvement in at least 2 identified indicators of educational success for students with developmental disabilities. The percentage of parents with a child receiving special education services who report that schools facilitated parent involvement will increase.

Objectives: 1) Provide training and coaching to support active engagement by at least 1 family member for every 4 students who have developmental disabilities in ESC 17; 2) Increase the number of home and school activities that participating districts provide to families of students with disabilities within the school year; 3) increase the attendance of parents/family members at ARD meetings; 4) increase the attendance of parents/family members at training and events; and 5) increase parents' level of satisfaction with the school environment, communication between parents and school and ARD/IEP participation

Accomplishments per goal:

A total of 4 school districts (Slaton, Roosevelt, Wilson and Southland ISD) were recruited to participate in training and coaching for Cohort 1. Cohort 2 consists of Brownfield ISD (6 campuses total) and 2 other campuses in Levelland ISD and Denver City ISD. ESC 17 has utilized a coaching model that will enable districts to continue utilizing strategies acquired through the trainings and collaborations. A library of resources is provided for parents and professionals to each campus. Approximately 250 parents attended ARD meetings. A total of 23 events/trainings were held with more than 450 parents were served. The project provided scholarships for parents to attend 6 conferences on Autism, Building Strong Families, Inclusion, etc.

Proposed Goals and Objectives for Year 3:

Goal: Same as above.

Objectives: 1) Same; 2) Increase the number of home and school activities that participating districts provide to families of students with disabilities within the school year and to increase parents' level of satisfaction with the school environment and with communication between parents and schools; and 3) Increase parent/family members' attendance at ARD meetings, trainings and events.

Council Considerations: Public Policy Considerations: Region 17's Family Involvement in Schools promotes community schools in which parents of children with disabilities are actively engaged in helping re-shape the school culture into one of collaboration among caring adults. PP staff look forward to data quantifying the effect of increased parental involvement on overall success of students and parental satisfaction.

Grant Management Considerations: No concerns; extensive risk monitoring due to award amount and sub-awards.

Staff Recommendation: TCDD staff recommends continued funding for this project

Continuation Budget Detail Summary

	Federal	Match	Totals
Expended Year 1 (Consultant: \$95,500)	\$300,000/\$300,000	\$33,333/\$35,175	\$333,333/\$335,175
Expended Year 2 (7 months)(Consultant: \$97,912)	\$300,000/\$163,878	\$33,333/\$5,023	\$333,333/\$168,901
Amount requested for Year 3 budget:			
I. Personnel services	167,880	0	167,880
II. Travel	10,000	0	10,000
III. Purchased services (\$80,000 consultants)	95,250	19,758	115,008
IV. Property/Materials	7,665	0	7,665
V. Rental/Leasing	19,105	0	19,105
VI. Utilities	100	0	100
VII. Other (Indirect Costs)	0	13,575	13,575
Budget period totals	\$300,000	\$33,333	\$333,333

Executive Director's Report	Tab 2
<p><u>Background:</u></p> <ul style="list-style-type: none"> ➤ <u>Stipends Grants Applications Approved</u> - TCDD Policies provide for the Executive Director to approve applications for Events Stipends and Presentation Support Stipends. Three (3) stipend applications were approved during the quarter to the following organizations. The summaries of each are enclosed. <ol style="list-style-type: none"> 1. Texas Advocates for the <i>2015 Texas Advocates Annual Convention</i> July 24-16, 2015, in Dallas. (Events Stipend) 2. Providers Alliance for Community Services of Texas for the <i>PACST 2015 Annual Conference</i> September 16-18, 2015, in San Marcos. (Speakers Stipend) 3. Volar Center for Independent Living for the <i>Our Lives Disability Conference and Service Providers Expo</i> October 30, 2015, in El Paso (Events Stipend) ➤ <u>Attendance Report</u> – A quarterly summary of attendance of Council members at meetings is also enclosed. <p><u>Important Terms:</u></p> <p>Events Stipend Grants: Organizations may apply for up to \$6000 to pay for conference registration, hotel rooms, attendants, respite, travel expenses, etc. for self-advocates and their family members to attend conferences and other events.</p> <p>Speakers Stipend Grants: Sponsoring organization of the meeting, conference, workshop, or seminar may apply for up to \$600 per event for transportation, meals, and lodging for speakers, expenses for an attendant, respite care or other accommodations, as well as speaker fees.</p>	
<p><u>Executive Committee</u></p> <p><u>Agenda Item 5.</u></p>	<p><u>Expected Action:</u></p> <p>The Executive Committee will review the information provided and may provide guidance to staff.</p>
<p><u>Council</u></p> <p><u>Agenda Item 5.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will receive a report on the Executive Committee discussion.</p>

CONSUMER STIPENDS PROPOSALS

Date: 6/9/15

Executive Director Review

ITEM: 1

Organization: Texas Advocates
City, State: Austin, TX

Federal: \$ 5,972
Match: \$ 1,488

Event: Conference: 2015 Texas Advocates Annual Convention
Date: July 24-26, 2015
Hotel: Hilton Anatole Hotel
City, State: Dallas, Texas

Previously Funded: Yes: 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006, 2005, 2004, 2003, 2002, 2001, 2000, 1999, 1998, 1997, 1996, 1995, 1993, 1992, 1991, and 1990

Comments: This statewide event will provide opportunities for people with disabilities to learn about self advocacy and self determination.

Considerations: The conference sponsors propose to provide stipends to cover:
Lodging (triple occupancy) - 52 individuals
(52 @ \$57.42/night for two days) = \$5,972.00
Total cost (federal): = **\$5,972.00**

Applicant match covers registration:
Registration - 52 individuals
(52 @ \$10.00/individual) = \$ 520.00
Staff hours worked for the conference (see attached) = \$ 968.00
Total cost (match): = **\$1,488.00**

Recommendation: Staff recommends funding. Proposal received 90 days prior to the event.

Approved: ☒ yes ☐ no Roger A. Webb

I HEREBY AGREE TO ROGER A. WEBB'S
EDS 2015/06/09 A. WEBB: 6/9/2015 10:15 AM
EDS 2015/06/09 10:15 AM
EDS 2015/06/09 10:15 AM

Date: June 9, 2015

Comments: _____

CONSUMER STIPENDS PROPOSALS

Date: 6/22/15

Executive Director Review

ITEM: 2

Organization: Providers Alliance for Community Services of TX	Federal:	\$ 6,000
City, State: Austin, TX	Match:	\$ 1,350

Event: Conference: PACSTX 2015 Annual Conference
Date: September 16-18, 2015
Hotel: Embassy Suites Hotel and Conference Center
City, State: San Marcos, Texas

Previously Funded: Yes: 2014, 2013

Comments: This conference is an incredible opportunity for people to share experiences & develop a unified voice to improve community services for persons with IDD in Texas. Keynotes & sessions have been selected to promote broad, philosophical understanding as well as technical, operational, & regulatory specifics.

Considerations: The conference sponsors propose to provide stipends to cover:

Speaker – 1 individual-Maysoon Zayid (1 @ \$5,000.00)	= \$ 5,000.00
Speaker – 1 individual-Dr. Beverly Chiodo (1 @ \$1,000.00)	= \$ 1,000.00
Total cost (federal):	= \$ 6,000.00

Applicant match covers speaker fees, travel nad lodging expenses:

Speaker – 1 individual- Maysoon Zayid flight \$450.00, lodging \$300, meals \$100.00	= \$ 850.00
Speaker – 1 individual- Dr. Beverly Chiodo balance of speaker fee \$500	= \$ 500.00
Total cost (match):	= \$ 1,350.00

Recommendation: Staff recommends funding. Proposal received 90 days prior to the event.

Approved: ☒ yes ☐ no Martha Cantu

Digitally signed by Martha Cantu
DN: cn=Martha Cantu, o=TCDD, ou=TCDD,
email=martha.cantu@tcdd.texas.gov, c=US
Date: 2015.06.23 09:20:01 -0500

Date: 6/23/2015

Comments: _____

CONSUMER STIPENDS PROPOSALS

Date: 7/14/15

Executive Director Review

ITEM: 3

Organization: Volar Center for Independent Living
City, State: El Paso, TX

Federal: \$ 6,000
Match: \$ 885

Event: Conference: Our Lives Disabilities Conference & Service Providers Expo
Date: October 30, 2015
Hotel: Camino Real Hotel
City, State: El Paso, Texas

Previously Funded: Yes: 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2005
Comments: The "Our Lives Disabilities" Conference is planned as a motivating, educational, non-threatening means of outreach and empowerment to the disability community, including persons with developmental disabilities, in the El Paso Southwest area.

Considerations: The conference sponsors propose to provide stipends to cover:

Registration - 54 individuals (54 @ \$65.00/individual)	= \$3,510.00
Sign Language Interpreters - 3 individuals (3 @ \$40.00/hour for 10 hours)	= \$1,200.00
Spanish Interpreters - 3 individuals (3 @ \$43/hour for 10 hours)	= \$1,290.00
Total cost (federal):	= \$6,000.00

Applicant match covers interpreters, respite & meals expenses:

Personal Care Attendants - 3 individuals (3 @ \$10/hour for 10 hours)	= \$ 300.00
Meals - 9 individuals (9 @ \$65.00/meal)	= \$ 585.00
Total cost (match):	= \$ 885.00

Recommendation: Staff recommends funding. Proposal received 90 days prior to event.

Approved: ☒ yes ☐ no Martha Cantu

Digitally signed by Martha Cantu
DN: cn=Martha Cantu, o=CCDO, ou=CCDO,
email=martha.cantu@blackhispas.org, c=US
Date: 2015.07.14 13:04:26 -0500

Date: July 14, 2015

Comments: _____

TCDD QUARTERLY COUNCIL MEETINGS
ATTENDANCE REPORT
August 2013 – May 2015

Council Member	5/15	2/15	11/14	8/14	5/14	2/14	10/13	8/13
H. Adkins	P	P	P	P	P	P	P	P
K. Blackmon	P	P	P	P	P	P	P	P
K. Clark	P	P	P	P	P	P	EA	EA
G. Cortez	P	P	P	P	P	P	P	P
K. Cox	P	P	P	P	P	P	P	EA
A. Crim	P	– Wed EA – Th/Fr	P	P	EA	EA	P	P
M. Delgado	EA	P	EA	P	EA	P	EA	EA
M. Durham	P	P	P	P	P	EA	– Th EA - Fr	P
S. Gersuk	P	P	P	P	P	EA	– Th EA - Fr	P
R. Mason	P	P	P	NA	NA	NA	NA	NA
S. McAvoy	P	EA	P	P	P	P	– Th EA - Fr	P
M. Peace	P	P	P	NA	NA	NA	NA	NA
D. Perry	EA	P	EA	EA	P	EA	EA	P
B. Pharris	P	P	P	NA	NA	NA	NA	NA
D. Taylor	P	P	P	EA	P	P	P	P
L. Taylor	P	P	P	P	P	P	EA	EA
J. Thomas	EA	EA	P	NA	NA	NA	NA	NA
R. Tisch	P	P	P	P	EA	EA	P	EA
DRT (AI)	P	P	P	P	EA	P	P	P
UT CDS	P	EA – Th - Fr	P	EA	P	EA	P	P
A&M CDD	P	P	EA- Th - Fr	P	P	P	EA – Th – Fr	P
DADS	P	P	P	P	P	P	P	P
DARS	P	P		P	P	P	P	P
DSHS	P	P	P	P	EA	P	P	P
HHSC	P	P	EA	P	P	P		P
TEA	P	EA - Th - Fr	P	P	P	P	P	P

Key: P = Present
 A = Absent
 EA = Excused Absence
 NA= Not Applicable

Grants Activities Reports		Tab 3
<p>Background: Grants Management Staff will review these reports:</p> <ul style="list-style-type: none"> ➤ <u>Independent Audit Status Report</u> – summarizes the status of desk reviews of annual independent audits submitted by grantees. ➤ <u>Grants Monitoring Exceptions Report</u> – summarizes concerns noted by TCDD Grants Management staff in their ongoing monitoring activities, and the status of resolving those concerns. ➤ <u>Grants Risk Assessment of TCDD Projects & Quarterly Update Report</u> – summarizes the risk assessment matrix for considerations of continuation grant awards, new grant awards and provides more detail about monitoring activities for all TCDD funded projects. This format now includes any concerns identified by grants staff from ongoing monitoring of projects. 		
<p><u>Executive Committee</u></p> <p><u>Agenda Item 6.</u></p>	<p><u>Expected Action:</u></p> <p>The Executive Committee will review the information provided and may provide guidance to staff.</p>	
<p><u>Council</u></p> <p><u>Agenda Item 9. A.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will receive a report on the Executive Committee discussion.</p>	

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

INDEPENDENT AUDIT STATUS REPORT

GRANTEE	FYE	DATE RECEIVED	AUDIT FIRM	EXCEPTIONS NOTED	RECOMMENDATIONS/ RESOLUTIONS
Any Baby Can of San Antonio, Inc	6/30/2014	12/9/2014	BDO USA, LLP	The Auditors' report on the financial statements omitted a reporting section that is required.	The report was acceptable with quality deficiencies that should be brought to the attention of the organization and grantee's auditor, but no need for the report to be redone. Audit corrected by grantee auditor and accepted by TCDD audit desk reviewer, Abi Bankole.
Any Baby Can of San Antonio, Inc	6/30/2013	12/9/2014	BDO USA, LLP	The auditors' report on the financial statements omitted a reporting section that is required.	The report was acceptable with quality deficiencies that should be brought to the attention of the organization and grantee's auditor, but no need for the report to be redone. Audit corrected by grantee auditor and accepted by TCDD audit desk reviewer, Abi Bankole.
Community Healthcore	8/31/2014	1/30/2015	Henry & Peters, P. C.	None.	None/Done.
Paso del Norte Children's Development Center	8/31/2014	5/19/2015	Gibson, Ruddock, Patterson, LLC.	None.	None/Done.
Region 17 ESC	8/31/2014	1/12/2015	Bolinger, Segars, Gilbert & Moss, LLP	None.	None/Done.

Key: Audits were submitted to TCDD during the fiscal year (Oct. 1, 2014 – Sept. 30, 2015). Independent Audit Reports are due not later than nine months after the end of the grantee's fiscal year(s) for which an audit is performed. This document includes audits that were received after the due date, but during the fiscal year.

GRANTEE	FYE	DATE RECEIVED	AUDIT FIRM	EXCEPTIONS NOTED	RECOMMENDATIONS/ RESOLUTIONS
SafePlace	12/31/2014	6/29/2015	Atchley & Associates, LLP	None.	The last two audits have an unqualified opinion. Per TCDD procedures the current audit was reviewed by TCDD staff. No concerns are noted, thus this audit was not sent to Abi Abankole, CPA, for desk review.
Texas State Independent Living Council	8/31/2013	4/12/2015	Montemayor Hill Britton & Bender PC	None.	None/Done.
Texas State Independent Living Council	8/31/2012	4/21/2015	Montemayor Hill Britton & Bender PC	None.	None/Done.

Key: Audits were submitted to TCDD during the fiscal year (Oct. 1, 2014 – Sept. 30, 2015). Independent Audit Reports are due not later than nine months after the end of the grantee's fiscal year(s) for which an audit is performed. This document includes audits that were received after the due date, but during the fiscal year.

GRANTS MONITORING EXCEPTIONS REPORT

GRANTEE PROJECT TITLE	TYPE OF ONSITE	DATE OF ONSITE	ACTIONS REQUIRED FROM ONSITE REVIEW	CORRECTIVE ACTIONS	STATUS
Texas SILC (<i>Leadership Development and Advocacy Skills Training</i>)	Final	1/22/15	Audit report; final audit invoice; utility(s) invoices; match documentation	Document requested: 12/22/15 Documents due: 1/22/15 Additional follow-up information requested: 3/5/15	Pending
Texas SILC (<i>Health and Fitness</i>)	Follow-up	1/22/15	Audit report; final invoice for audit report; insurance premiums for current budget period; utility invoices/receipts; match documentation; PAC meeting minutes	Documentation requested: 12/22/15 Documents due: 1/22/15 Additional follow-up information requested: 3/5/15	Pending
Coalition of Texans with Disabilities (<i>Developmental Disabilities Policy Fellows</i>)	Initial	1/27/15	Affirmative action written procedures; evidence of policies that address the federal regulations for I/DD; audit and/or financial report; review of personnel file; service/consultant agreement for the Hogg Foundation; office space lease agreement; match documentation for office space; budget revision for temporary service paid with TCDD funds not in approved budget	Documentation requested: 12/27/15 Documentation due: 1/27/15 Additional follow-up information requested: 3/3/15 Documents received: 6/4/15	Complete
Community Healthcore (<i>Building Community Capacity through Collaboration</i>)	Follow-up	2/11/15	PAC nomination form required for approval and PAC needs to be scheduled; additional details for possible unallowable charges; copy of cell phone and land line invoice; correct forms required for donated time	Documentation requested: 1/11/15 Documents due: 2/11/15 Documents received: 4/10/15	Complete
The Arc of Greater Tarrant County (<i>Inclusive Faith-Based Symposium</i>)	Final	2/26/15	PAR's for the current project director and signatures on timesheet; PAC meeting minutes for 1/12/15 PAC meeting; copy of audit report for FY July 1, 2013 through August 31, 2014; explanation/clarification on travel documents submitted; clarification on charges for Workers Comp; signatures on all contracts/service agreements	Documentation requested: 1/26/15 Documents due: 2/26/15 Additional follow-up information requested: 3/6/15 Documents received: 5/1/15	Complete
The Arc of Texas (<i>Leadership Development and Advocacy Skills Training</i>)	Final	3/4/15	No job duties listed on timesheets submitted; current documentation for lease space TCDD/match	Documentation requested: 2/4/15 Documents due: 3/4/15 Documents received: 3/4/15	Complete
The Arc of Texas (<i>Developmental Disabilities Policy Fellows</i>)	Initial	3/6/15	Correction on timesheets for staff paid with TCDD funds; correction on travel document; Documentation verifying purchase of laptop	Documentation requested: 2/6/15 Documents due: 3/6/15 Additional follow-up information	Complete

			computer with TCDD funds; current documentation for lease agreement; documentation for utilities listed in approved budget	requested: 3/12/15 Documents received:4/23/15	
Texas Advocates (<i>Leadership Development and Advocacy Skills Training</i>)	Final	3/4/15	Timesheet/PAR for Executive Director; contract and/or service agreement for the Arc of Texas for the project coordinator; current lease agreement required; current documentation to verify match funds reported for office space	Documentation requested: 2/4/15 Documents due: 3/4/15 Additional follow-up information requested: 3/12/15	Pending
Volar CIL (<i>Building Community Capacity through Collaboration</i>)	Follow-up	4/29/15	Timesheet/PAR for Executive Assistant; clarification on amount paid for insurance; contracts/service agreements for Project Search and Post-Secondary Program for People with Disabilities; clarification on charges paid Paso del Norte; current documentation for office space; documentation showing payment for internet and telephone services; documentation for match reported for personnel, fringe benefits, purchase services	Documents requested: 3/23/15 Documents due: 4/29/15 Additional follow-up information requested/received: 5/12/15 Documents received: 5/13/15, 6/12/15 and 6/15/15	Pending

Date Revised: 6/24/15

1 - Audit due within 9-months after the end of the budget period.

RISK ASSESSMENT FOR CONSIDERATION OF CONTINUATION AWARDS

06/01/15– 05/31/16

Item	Grantee	TCDD Funds	Other Fed Funds	Risk Activity	Risk Code
A	The Arc of Texas (Developmental Disabilities Policy Fellows)	\$67,500	\$0	Moderate	
B	Texas Tech University (Project SEARCH)	\$174,656	\$50 mil	Considerable	
C	Volar Center for Independent Living (Building Community Capacity through Collaboration)	\$145,476	\$203,823	Considerable	

KEY

	Extensive Risk Management (all levels of control plus audit)
	Considerable Risk Management (most levels of control plus independent review by CPA)
	Moderate Risk (operating & monitoring controls & agreed upon procedures engagement by CPA)
	Monitor or Accept (basic monitoring only)

RISK ASSESSMENT OF TCDD PROJECTS – QUARTERLY UPDATE

Grantee		TCDD Fund Amt.	Other Federal Fund Amt.	Date of Last Onsite	Next Onsite Due By	Risk Activity	Risk Code
Extensive Risk							
1.	Region 17 ESC (FIS)	\$300,000	\$1,687,806	10/2/14	2015	2	
2.	Epilepsy Foundation of Texas (Health & Fitness)	\$250,000	\$390,600	10/28/14	2015	2	
3.	Texas State Independent Living Council (Health & Fitness)	\$238,000	\$395,083	1/7/15	2016	2	
4.	DARS (Higher Education)	\$225,000	\$488 mil	7/18/14	2015	2	
5.	Educational Programs Inspiring Communities, Inc. (Enabling Technology)	\$225,000	\$200,000	8/27/14	2015	2	
6.	Texas A&M University (Higher Education)	\$225,000	\$244 mil	7/10/2014	2015	2,3	
7.	Texas Tech University (Higher Education)	\$225,000	\$35mil	10/1/2014	2015	2,3	
8.	Strategic Education Solutions, LLC (Enabling Technology)	\$224,925	\$ 0	12/19/14	2015	2	
Considerable Risk							
9.	Any Baby Can (Health & Fitness)	\$174,887	\$ 0	12/10/14	2016	2	
10.	Texas Tech University (Project SEARCH)	\$174,716	\$35 mil	10/1/2014	2016	2,3	
11.	Volar Center for Independent Living (BC3)	\$150,000	\$202,283	3/8/2013	2015	1,2	
12.	Sabine Valley Regional MHMR Center (dba Community Healthcore) (BC3)	\$139,440	\$4 mil	4/17/2013	2015	2, 3	
13.	Imagine Enterprises (Project SPEAK)	\$125,000	\$725,000	7/9/2013	2016	2	
14.	VSA Arts of Texas- (Self-Advocates as Speakers)	\$125,000	\$10,000	8/14/2013	2015	2	
15.	SafePlace (Meaningful Relationships)	\$115,029	\$2,340,306	9/26/2013	2015	2	
16.	A Circle of Ten, Inc. (BC3)	\$100,000	\$25,000	3/8/2013	2015	2,8*	
17.	Texas Advocates (Self-Advocates Grassroots Community Organizing)	\$100,000	\$75,000	TBS 2015	2017	2	
Moderate Risk							
18.	Coalition of Texans with Disabilities (Developmental Disabilities Policy Fellows)	\$67,500	0	1/27/15	2018	2	
19.	The Arc of Texas (Developmental Disabilities Policy Fellows)	\$67,500	\$0	TBS 2015	2018	2, 5	
Monitor or Accept							
20.	Texas Parent to Parent (Public Policy Collaboration Activities)	\$50,800	\$97,500	7/2/2013	NA	2	
21.	Helpful Interventions, Inc. (Gulf Coast African American Family Support Conference)	\$50,000	\$0	3/11/2014	NA	2	

NA							
22.	Circle of Ten (Contract-Building Capacity for LDATP)	\$25,000	\$75,000	NA	NA	NA	NA
23.	Nuevos Horizontes de Starr County (O & D)	\$9,955	\$0	NA	NA	NA	NA
24.	Special Kids, Inc. (O&D)	\$10,000	\$0	NA	NA	NA	NA

Highlighted grantees indicate additional monitoring strategies this quarter.

***Increased risk due to the number of sub-awards and no previous audit.**

KEY

	Extensive Risk Management (all levels of control plus audit)
	Considerable Risk Management (most levels of control plus independent review by CPA)
	Moderate Risk (operating & monitoring controls & agreed upon procedures engagement by CPA)
	Monitor or Accept (basic monitoring only)

TCDD RISK MATRIX

FY 2013

<i>Award Amounts →</i> <i>Risk Activities ↓</i>	- \$75,999.	\$76,000. – \$199,999.	\$200,000.- \$499,999.	\$500,000. +
1.New Grantee (i.e., no previous project or no project within 2 year period)	LH	MH	HH	HH
2.Awards within Award (e.g., consultants, presenters, sub-contractors, etc.)	LH	MH	HH	HH
3.Funding Issues (e.g., budget/procurement concerns, match, sustainability, etc.)	LM	LM	MM	HM
4.Compliance Issues (e.g., OMB, UGMS, TCDD policy, oversight issues, etc.)	LM	LM	MM	HM
5.Performance Issues (e.g., unmet goals, milestones, special conditions, etc.)	LM	LM	MM	HM
6.Legal Actions	LL	LL	ML	HL
7.Fiscal Office Located Out-Of-State	LL	LL	ML	HL
8.No Audit Prior To Grant Award	LL	LL	ML	HL

KEY:1st letter denotes impact; 2nd letter denotes probability.

HM, HH	Extensive Risk (all levels of control plus audit)
MM, MH, HL	Considerable Risk (most levels of control plus independent review by CPA)
LH, ML	Moderate Risk (operating/monitoring controls + agreed upon procedures by CPA)
LL, LM	Acceptable Risk (basic monitoring only)

Use for Risk Management Plan:

	Audit work performed and the Executive Director performs oversight via quarterly report* provided to ensure supervisory and operating controls are working.
	Department heads reporting to Executive Director perform oversight functions to ensure supervisory and operating controls are working.
	Department staff perform oversight functions to ensure supervisory and operating controls are working.
	Department staff perform basic oversight functions to ensure controls are in place.

Use for Annual Audit or Review Determination:

	Red indicates areas to be audited or reviewed by independent CPA.
	Yellow indicates areas to be covered through oversight, supervisory and operating controls with guidance from the contracted internal audit services provider.
	Green indicates areas to be covered through staff oversight with guidance from the contracted internal audit services provider as needed.
	Gray indicates areas to be covered through basic staff oversight and reporting.

Grants Monitoring Exceptions Report provided to E.D. and Council quarterly for review.

No risk activities means monitoring strategies will be performed at the lowest level under the award amount.

NOTE: Risk Matrix reviewed annually with TCDD staff and Internal Auditor; updated when needed.

MONITORING STRATEGIES FY 2015

STIPENDS (\$6,000. Or less):

Website instructions	Special Conditions (GMD letter)
Technical support (Budget Support Specialist)	Review FROE & other reports submitted

Mini-Grants (\$10,000. Or less):

Orientation	Program Performance Review = Six Months
Technical support (Senior Specialist)	Final Program Performance Report
RAR & Supplemental Report	Approvals (e.g., dissemination, etc.)
RAR Documentation Review = Six Month	

Level 1 - GRAY

Orientation	Approvals (e.g., equipment, travel, speakers, etc.)
Onsite Review = Initial	Project Advisory Committee Meetings
Program Performance Review = Annual	Final Program Performance Report
RAR Documentation Review	Other as determined necessary (e.g., audit desk review)

Level 2 - GREEN

Orientation	Project Advisory Committee Meetings
Onsite Review = Initial & 3 rd year	Final Program Performance Report
Program Performance Review = Quarterly	Agreed upon Procedures Engagements CPA
RAR Documentation Review	Other as determined necessary (e.g., audit desk review)
Approvals (e.g., equipment, travel, speakers, etc.)	

Level 3 - YELLOW

Orientation	Project Advisory Committee Meetings
Onsite Review = Initial & 3 rd & 5 th years	Final Program Performance Report
Program Performance Review = Quarterly	Independent Review by CPA = Annual (A-133 Audit at \$500k or more)
RAR Documentation Review	Project Staff Meeting (1X per annum)
Approvals (e.g., equipment, travel, speakers, etc.)	Other as determined necessary (e.g., audit desk review)

Level 4 - RED

Orientation	Final Program Performance Report
Onsite Review = Initial & Annual	A-133 Audit = Annual (Independent under \$500k)
Program Performance Review = Quarterly	Audit Desk Review = Annual
RAR Documentation Review	Project Staff Meeting (2X per annum)
Approvals (e.g., equipment, travel, speakers, etc.)	Interim Program Performance Report
Project Advisory Committee Meetings	

ADDITIONAL MONITORING STRATEGIES FOR GRANT PROJECTS

To be selected and implemented on an as needed basis.

- Re-orient
- Add milestones or special conditions
- Move up to the next level of monitoring (see above tables)
- Payment holds (reimbursement only no advance or no reimbursement & no advance)
- Require additional onsite reviews

Travel Support for Public Members of Advisory Committees		Tab 4
<p><u>Background:</u></p> <p>TCDD has provided funds since FY 2000 to support travel of public members to participate on state level advisory committees, councils, and workgroups that focus on issues of importance to individuals with developmental disabilities. These advisory committees are established by statute, approved by the agency's governing body or by the agency chief when there is not a supporting board, but the sponsoring agency does not have legislative authorization to reimburse travel of public members of that advisory body. This support recognizes the importance for individuals with disabilities and their families to participate in policy discussions about the services and programs that impact their lives. In FY 2013 TCDD approved travel support for a two year period which ended June 30, 2015. During that time TCDD expended approximately \$55,795 in financial support and supported the following groups:</p> <ul style="list-style-type: none"> • Consumer Direction Workgroup • Employee First Taskforce • Council on Children & Families • Task Force for Children with Special Needs • Texas Traumatic Brain Injury Advisory Council • Children's Policy Council <p>TCDD developed Guidelines for Advisory Committee Travel Support and each requesting agency is now required to complete a Request for Advisory Committee Member Travel form for the new funding period. TCDD is recommending the approval of funding support for two additional years, beginning August 1, 2015 through the July 31, 2017 in the amount of \$50,000 per year.</p> <p>TCDD has in the past, and continues to recommend that supporting agencies plan for these travel expenses for public members in their respective budgets in their Legislative Appropriations Requests (LAR). There is no evidence to suggest that this happened during the 2015 session. It is not the intent of TCDD to provide long-term support for these committees.</p>		
<p><u>Executive Committee</u></p> <p><u>Agenda Item 7.</u></p>		<p><u>Expected Action:</u></p> <p>The Executive Committee will review the information provided and may recommend Council approval.</p>
<p><u>Council</u></p> <p><u>Agenda Item 6. B.</u></p>		<p><u>Expected Action:</u></p> <p>The Council will consider Executive Committee recommendations on this subject.</p>

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

Guidelines for Advisory Committee Member Travel Support

Establishment of Advisory Committee Support Funds

The Texas Council for Developmental Disabilities (TCDD) has approved funds to provide travel support for public members to participate on state-level Advisory Committees that focus on issues of importance to individuals with developmental disabilities and/or family members who serve on state level advisory committees when those individuals do not have other organizational sponsorship. TCDD provides these travel funds to the University of Texas Center for Disability Studies (CDS) via a grant and CDS dispurses funds as needed. To be eligible for TCDD support:

- (1) The agency advisory committees must be established by statute, obtain approval of the agency's governing board, or obtain approval of the agency chief;
- (2) Advisory committee members must be appointed by the agency Chief; and
- (3) The advisory committee must report to the agency chief or the Legislature.

TCDD funds for this purpose shall be the "payer of last resort". Agencies are expected to exhaust all other possible means of providing travel support for public members of agency advisory committees, including appropriations rider, federal grant or other sponsoring entity as appropriate.

Request to Support an Advisory Committee

A request for TCDD to provide travel support for public members of an advisory committee must be provided to TCDD in writing form from the sponsoring agency coordinating the advisory committee. A request may be submitted by email. Verbal requests will not be considered. Each request must include:

- (1) A reference to the state statute establishing the advisory body (i.e. HB 1454 -81st, R) where applicable, or the manner by which the advisory board was established;
- (2) The request shall list the names of the public members, along with their contact information if known. If members are not selected, the requester should identify the name and representation criteria for public members for whom travel support is requested; and
- (3) The request shall also include the dates of the advisory committee meeting dates for that fiscal year, if a schedule has been established, or the expected frequency / number of meetings during each year.

The request shall be submitted to the TCDD Operations Director using the appropriate **Request for Advisory Committee Member Travel Funds** form. It is the responsibility of the requesting agency to update the TCDD Operations Director of any changes in the roster of approved members, their contact information, and revised or additional meeting dates as they are developed. If additional meeting dates are required during the fiscal year, a separate request must be made in writing.

Approval Process

TCDD will provide a written response to the requesting agency, via email indicating TCDD approval when a decision is finalized, or indicating the reason for not approving. A copy of all approved confirmations will be provided to the CDS, who receives grant funds from TCDD, coordinates the travel support for approved members, and manages the travel funds.

Parameters of Approved Requests

Travel support for an advisory committee will be approved for not more than two years. After the two year period, if the advisory committee has not become self-supportive or if funds are not available in the requesting agency's budget, the request must be re-submitted to TCDD for re-approval. All requests for re-approval must include a summary of efforts made to secure other funding, and must summarize the agency's effort to seek legislative approval to reimburse members of that committee. It is the responsibility of the governing agency for public members to have the opportunity to participate as members of agency advisory bodies and should seek to not appoint members currently serving on other advisory bodies as best possible. TCDD will not provide travel assistance for a family member or self-advocate on more than one advisory committee concurrently. TCDD travel support is limited to official meetings of the advisory group. Travel expenses to attend related conferences or hearings are not included.

Responsibilities of the Advisory Committee Contact

Each advisory committee approved for TCDD travel support is expected to designate an agency primary contact. The TCDD Operations Director will review the travel support process with each coordinator, and advise the agency coordinator / liaison to contact the CDS to become familiar with the travel protocol and to provide information necessary to set-up each approved traveler in the UT accounting systems. This person's information must be submitted to CDS to establish a contact for each advisory committee. The agency coordinator / liaison is also responsible to notify the CDS in a timely manner of changes in approved public members eligible for TCDD support for CDS to set new members up in the UT Accounting system, and to advise those members to contact CDS as soon as possible to provide necessary information.

Responsibility of the Public Member

All appointed public members who have received approval to travel on behalf of their advisory committee will make contact with CDS as soon as they are appointed to the advisory committee, or at least one month prior to the member's first meeting so that UT can add member information into the UT system, via a Personal Identification Form. CDS will provide each member with a Travel & Reimbursement Guide. For subsequent travel, public members must contact CDS no later than two weeks prior to any travel date and must submit a Request for Travel Authorization if they will be requesting reimbursement. Travelers will follow and adhere to the reimbursement and travel guidelines established by UT. Travelers are required to submit reimbursement paperwork with original receipts to CDS no later than 30 days after the date of travel. If receipts and required documentation are not received within thirty (30) days, reimbursement may be delayed, and in some circumstances may be denied. Travelers may only request travel expense reimbursement for approved dates of official meetings. Travel expenses for dates outside of the pre-approved dates for official meetings will not be

reimbursed. No reimbursement will be made for travel expenses to attend conventions, seminars, or trainings outside of the scope of the Advisory Committee purpose. Travelers are required to provide updated information to CDS as soon as changes are known.

Process for Requesting Funds

TCDD considers funding for advisory committee travel on a two year basis. TCDD staff can only issue a grant award for funds for that period approved by the Council. The Center for Disability Studies will provide TCDD with information necessary to finalize a grant award in a timely manner, and will provide information concerning the need to revise that grant award at least 30 days before funds in the current award are exhausted.

Documenting Expended Funds

It is the responsibility of CDS to maintain documentation of the expended or disbursed travel funds. CDS will provide a quarterly report of disbursed funds to the TCDD Operations Director in a jointly approved line-item format.

Documenting Outcome Measures

It is the responsibility of CDS to provide an Outcome Measures Report twice a year to the TCDD Operations Director, which will include:

- (1) The name of each advisory committee approved by TCDD for travel support;
- (2) Per advisory committee group, the name of each public member who received travel assistance, what assistance they received;
- (3) The status of each individual, or family member with a developmental disability that does not have organizational support; and
- (4) The dates each individual traveled for advisory committee meetings during that fiscal year.

Approval Term

The Texas Council for Developmental Disabilities has approved travel support funding for two years beginning July 1, 2015 through August 31, 2017.

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES
Request for Advisory Committee Member Travel Funds

Advisory Body Name: _____

Sponsoring Agency: _____

Authorizing Mechanism for Advisory Body (I.e. Statute; Agency Board; Agency CEO): _____

Purpose / Responsibility of Advisory Body: _____

Agency Coordinator or Contact:

Name:

Email:

Phone:

Total Number of Advisory Body Members: _____

Number of Public Members Needing TCDD Travel Support: _____

Travel Support Request Period (not more than 2 years): From: _____ to: _____

(Request for travel support for an additional two year period may be submitted per TCDD guidelines.)

List meeting dates of Advisory Body, if known. Or the number and frequency of dates if not known:

Note: Sponsor Agency Contact Person is responsible to advise TCDD (and CDS-UT after approval) of changes in meeting dates or rotation of members.

On a separate sheet include the names of all members, their contact information, if known, which members need TCDD Travel Support, and whether they represent themselves or a family member.

Date Received by TCDD: _____ Approved: _____ Not Approved: _____

Signed: _____

Comments: _____

Member Roster Information for Advisory Committee _____

Member Name	Contact Information	Require Travel Support	Category of Representation
(Example) Mary Smith	111 W. 10 th St. Austin, Texas 78701 512-444-1111 Mary.Smith@gmail.com	Yes	Represents a family member

Review Panel Recommendations – Culturally Appropriate Family Supports		Tab 5
<p><u>Background:</u></p> <p>Staff coordinated an independent review panels to evaluate proposals received this quarter for one Request for Proposals: “Culturally Appropriate Family Supports.” Summaries of the recommendations from the panels and staff comments <u>will be emailed</u> to Executive Committee members prior to the meeting and included in the handout folder.</p> <p>The Executive Committee will consider this information and make final decisions about proposals to approve for final negotiations for these projects.</p>		
<p><u>Executive Committee</u></p> <p><u>Agenda Item 8.</u></p>	<p><u>Expected Action:</u></p> <p>The Executive Committee will consider this information and make final decisions on the project proposals.</p>	
<p><u>Council</u></p> <p><u>Agenda Item 9. B.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will receive a report of Executive Committee decisions.</p>	

Consideration of Continuation Grant Awards		Tab 6
<p><u>Background:</u></p> <p>Executive Summaries for three (3) current grant projects that are eligible for continuation funding are enclosed for consideration by the Committee (Items A-C). Grants monitoring strategies are noted under staff recommendations which follow the grants risk assessment report.</p> <p>A. The Arc of Texas – <i>DD Policy Fellows</i> B. Texas Tech University – <i>Project SEARCH</i> C. Volar Center for Independent Living – <i>Building Community Capacity through Collaboration</i></p> <p><u>Grants Risk Assessment Report</u> (found under Tab 3) – The Grants Risk Assessment Report enclosed summarizes the risk assessment matrix for consideration of grant awards and provides more detail about monitoring activities for all TCDD funded projects.</p> <p><u>Important Terms:</u></p> <p>Continuation Grant Awards: For each grant project funded by TCDD, the Council authorizes the number of years of funding available (usually 3 to 5 years), but projects must reapply for funding each year.</p>		
<p><u>Executive Committee</u></p> <p><u>Agenda Item 9.</u></p>		<p><u>Expected Action:</u></p> <p>The Executive Committee will review the information provided and consider approving funding for each continuation award.</p>
<p><u>Council</u></p> <p><u>Agenda Item 9. B.</u></p>		<p><u>Expected Action:</u></p> <p>The Council will receive a report on Executive Committee decisions.</p>

Texas Council for Developmental Disabilities

Executive Committee

Date: 8/5/15

Review of Proposed Activities & Budget

ITEM: A

Grantee: Arc of Texas

Year: 2 of 2

Project Title: Developmental Disabilities Policy Fellows

Project Location: Statewide Website: www.thearcoftexas.org

TCDD RFP Intent: The project intent is to hire and support a Developmental Disabilities Policy Fellow to increase the capacity of individuals and organizations in Texas to engage effectively in developmental disability policy advocacy and to increase the number of individuals who have the skills, knowledge and experience to work effectively in developmental disabilities policy.

Authorized Funding: TCDD has approved up to \$67,500 per year for up to two years.

Expected Results: New policy-focused professionals will receive training and mentoring to effectively work together with self-advocates and families to create the policies and procedures of the future.

Project Goals and Accomplishments for Year 1:

Goal: The Arc of Texas will provide a policy fellow with a supportive learning environment to prepare them to successfully engage in and build capacity for public policy advocacy to create meaningful change for people with developmental disabilities in Texas.

Accomplishments per goal: In year one, the grantee recruited and hired a Policy Fellow. The Fellow attended a Midwest Academy training on Organizing for Social Change and has also attended a variety of agency, legislative, and workgroup meetings. She has conducted several focus groups with stakeholders around the state to research and identify policy issues. The Fellow has selected guardianship reform as her primary focus and policy goal. The mentor and Fellow have attended and participated in over 30 public policy activities to date including hearings, conferences, and trainings including the national Disability Policy Seminar in Washington, D.C. The Fellow made over 50 visits to legislator's offices with self-advocates and family members of people with Intellectual and Developmental Disabilities (IDD) during the legislative session. She created three educational 1-pagers on the following topics: state budget, supported decision-making, and state supported living centers. The Fellow will use these materials as a launching point during the final quarter of the first grant year to create six public education/awareness materials.

Proposed Goals and Objectives for Year 2:

Goal: Same as above

Objectives: The Fellow will launch a public policy campaign to achieve the major policy goal identified in year one; The Fellow will develop a public policy campaign toolkit to recruit and engage stakeholders in public policy that promotes self-advocacy and self-determination; The Fellow will utilize the toolkit and host trainings to assist stakeholders in developing their own public policy campaigns.

Staff Recommendations:

Public Policy Considerations: The Public Policy Fellow developed public policy expertise and was actively engaged with stakeholders and policy makers to advance significant reforms in guardianship and implementation of supported decision-making. The fellow is now working on educating stakeholders on how guardianship reform and supported decision-making can impact their self-determination.

Grant Management Considerations: No concerns; moderate risk monitoring (new grantee). Grantee states that staff will receive a 5% pay raise upon approval of the board. TCDD will not execute the NGA for year 2 until documentation has been received that the pay raise has been approved by the Arc of Texas board.

Staff Recommendation: TCDD staff recommends Council consideration of continuation funding for this project.

Continuation Budget Detail Summary

	Federal	Match	Totals
Expended Year 1 (8 months) (Consultants: \$4,400)	\$67,500/\$25,285	\$30,865/\$8,299	\$98,365/\$33,584
Amount requested for Year 3 budget:			
I. Personnel Services	48,929	38,227	87,156
II. Travel	3,971	0	3,971
III. Purchased Services (\$5,607 Consultants)	11,850	0	11,850
IV. Property/Materials	1,651	0	1,651
V. Rental/Leasing	275	0	275
VI. Utilities	825	0	825
VII. Other (Indirect Costs)	0	0	0
Budget period totals	\$67,500	\$38,227	\$67,500

Texas Council for Developmental Disabilities

Executive Committee

Date: 8/5/15

Review of Proposed Activities & Budget

ITEM: B

Grantee: Texas Tech University

Year: 4 of 5

Project Title: Project SEARCH

Project Location: Statewide Website: www.projectsearch.us

TCDD RFP Intent:

The project intent is to provide support for school districts, businesses, and/or other entities who wish to contract with Project SEARCH. Project SEARCH is a business-led school-to-work transition model with demonstrated success in developing internships for students with developmental disabilities.

Authorized Funding: TCDD has approved up to \$175,000 for up to five years.

Expected Results: TechWorks for Texas (TWT) will support the development of 10 newly certified Project SEARCH sites in Texas by the end of Year 5 of this grant.

Project Goals and Accomplishments for Years 1-3:

Goals: 1) Develop the infrastructure and leadership team who will be responsible for the development and implementation of a strategic plan. 2) Develop a marketing plan to identify and recruit communities who wish to establish a site. 3) Assist entities across the state indicating an interest to establish a site to receive technical assistance and training. 4) Provide evaluative information on the implementation of Project SEARCH® in Texas community sites to TCDD, DARS and other relevant stakeholders

Accomplishments per goal:

Planning and preliminary project implementation activities took place in the first year, including conference calls with the Project SEARCH® national office and the Department of Assistive and Rehabilitative Services (DARS). A difficult negotiation process to contract with the Project SEARCH® national office was completed. Communities currently participating include: Tyler, Lake Travis/Eanes, San Antonio, Garland, Fort Worth, Lewisville, College Station, Brenham, and Sugarland. Business partners include: Atlas Copco Drilling Solutions, Medical Center of Lewisville, Texas Wesleyan University, Baylor Scott & White Hospital (2 – College Station and Brenham), and United Healthcare. Several programs are in planning phases, scheduled to begin serving students interns in August 2015. So far in Year 3, a total of 18 students transitioned from school to community and jobs and a total of 18 adults have jobs of their choice through Council efforts.

Proposed Goals and Objectives for Year 4:

Goal: Same as above.

Objectives: 1) Solicit letters of interest from local communities in the DARS 5 region, which includes south Texas. 2) Select 2-3 sites that are the most ready to begin and provide training and technical assistance

Council Considerations: Public Policy Considerations: If Project SEARCH is successful building sites that engage individuals with intellectual and developmental disabilities in competitive employment it will be a declaration of both philosophy and policy stating that competitive employment is the first priority and preferred outcomes of people with developmental disabilities.

Grant Management Considerations: No concerns; high risk monitoring (awards within award).TCDD staff has frequent contact on a quarterly basis and annual onsite reviews.

Staff Recommendation: TCDD staff recommends continued funding for this project

Continuation Budget Detail Summary

	Federal	Match	Totals
Expended Year 1	\$174,854/\$174,854	\$59,523/\$58,784	\$234,377/\$233,638
Expended Year 2	\$174,666/\$174,666	\$58,751/\$58,751	\$233,417/\$233,417
Expended Year 3 (7 months)(Consultant: \$45,000)	\$66,613/\$174,716	\$22,830/\$58,768	\$89,443/\$233,484
Amount requested for Year 2 budget:			
I. Personnel services	85,409	0	85,409
II. Travel	19,733	0	19,733
III. Purchased services (\$51,780 consultants)	52,000	0	52,000
IV. Property/Materials	1,636	0	1,636
V. Rental/Leasing	0	0	0
VI. Utilities	0	0	0
VII. Other (Indirect Costs)	15,878	58,748	74,626
Budget period totals	\$174,656	\$58,748	\$233,404

**Texas Council for Developmental Disabilities
Executive Committee**

Date: 8/5/15

Review of Proposed Activities & Budget

ITEM: C

Grantee: Volar Center for Independent Living

Year: 2 of 5

Project Title: Building Community Capacity through Collaboration

Project Location: El Paso **Website:** www.volarcil.org

TCDD RFP Intent: The project intent is to establish and/or strengthen a network of appropriately diverse organizations to develop a strategic plan to build the capacity of that community to provide community-based services that will decrease the need for individuals with developmental disabilities to be served in an institution.

Authorized Funding: TCDD has approved up to \$150,000 for up to five years.

Expected Results: The Upper Rio Grande Intellectual and Developmental Disabilities Community Support Network will identify, enhance, and expand community supports for people with disabilities in order to prevent and reduce admissions of people with developmental disabilities to institutions.

Project Goals and Accomplishments for Year 1:

Goal: To prevent and reduce admissions of people with developmental disabilities to State Supported Living Centers or other institutionalized settings by strengthening the capacity of community supports and developing additional resources.

Accomplishments per goal: The grantee established a network that includes representation from 55 agencies and organizations. The Network began implementing five approved initiatives to provide a variety of services including emergency respite, supported employment, transition planning, youth leadership, and post-secondary education. A transition planner was hired and has received 32 referrals for assistance. There are currently 21 families receiving support through this initiative. One student helped by the planner was in the process of being admitted to a State Supported Living Center (SLLC). Staff from Project HIRE visited El Paso to provide training and technical information about their model. Eighteen students attended this training and several have applied to enroll in the 2015 fall semester at El Paso Community College (EPCC). A summer college readiness training is scheduled for early August. The Network partnered with Texas Tech University to sponsor a Project Search forum for service providers, school districts, and community organizations. Forty people attended the event, but Project Search has not yet been established in El Paso. A Youth Leadership Development (YLD) Assistant has been hired to provide leadership and advocacy training and educate young people with disabilities about available services and supports in their community. The assistant conducted outreach to area high schools and developed media to recruit new participants. Some of the YLD participants met with legislators on Capital Day in Austin.

Proposed Goals and Objectives for Year 2:

Goal 1: Same as above

Objectives: Develop person-centered transition plans for young adults with Intellectual and Developmental Disabilities (IDD) between the ages of 13 to 21; Implement Project HIGHER in El Paso to assist six students with IDD in completing a certificate program at EPCC; Provide workshops on Positive Behavioral Supports (PBS) to stakeholders; Provide leadership and advocacy training to 30 people with IDD between the ages of 16 and 22.

Staff Recommendations:

Public Policy Considerations: [Public policy staff have concerns with the plan to provide 2 hour behavior management trainings. Some BCBAs use aversive techniques that could result in emotional and/or physical harm. Training should be reviewed by TCDD staff to ensure that ONLY positive techniques are used.](#)

Grant Management Considerations: Considerable risk monitoring (awards within awards; award amount). **Staff Recommendation:** TCDD staff recommends Council to consider continued funding for this project.

Continuation Budget Detail Summary			
	Federal	Match	Totals
Expended Year 1 (7 months) (Consultant: \$59,358)	\$125,000/\$43,004	\$14,483/\$15,488	\$139,483/\$58,492
Amount requested for Year 3 budget:			
I. Personnel Services	37,153	12,287	49,440
II. Travel	1,218	0	1,218
III. Purchased Services (\$103,274 consultants)	103,274	2,517	105,791
IV. Property/Materials	1,409	0	1,409
V. Rental/Leasing	1,881	3,370	5,251
VI. Utilities	541	0	541
VII. Other (Indirect Costs)	0	0	0
Budget period totals	\$145,476	\$18,174	\$163,650

Memorandum of Understanding with Texas Education Agency		Tab 7
<p><u>Background:</u></p> <p>State law establishing TCDD requires “the Council to enter into a Memorandum of Understanding with the designated state agency that delineates the roles and responsibilities of the designated state agency” in providing administrative services and support to TCDD. Council Policies expect the Council to review the MOU each year. The current MOU with the Texas Education Agency, the Council’s designated state agency, is attached. Section VII – Business Continuity and Disaster Recovery Services has been added to the MOU.</p>		
<p><u>Executive Committee</u></p> <p><u>Agenda Item 10.</u></p>	<p><u>Expected Action:</u></p> <p>The Executive Committee will review the information provided and may recommend Council approval.</p>	
<p><u>Council</u></p> <p><u>Agenda Item 7.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will consider Executive Committee recommendations on this subject.</p>	

Memorandum of Understanding
Texas Council for Developmental Disabilities
and
The Texas Education Agency

I. PURPOSE

This Memorandum of Understanding ("MOU") is entered into between the Texas Council for Developmental Disabilities, 6201 East Oltorf, Suite 600., Austin, Texas, hereafter referred to as the "TCDD," and the Texas Education Agency, 1701 North Congress Ave., Austin, Texas, hereafter referred to as the "TEA". The TCDD is established pursuant to the federal Developmental Disabilities Assistance and Bill of Rights Act as amended (42 USC 15001), hereafter referred to as the "DD Act", and by state statute at Chapter 112, Title 7, Texas Human Resources Code, hereafter referred to as the "State Act." Consistent with the DD Act, the Governor of Texas has designated TEA as the "designated state agency" to receive, account for and disburse funds available to TCDD and to provide administrative support to TCDD as appropriate. The purpose of this MOU is to identify the responsibilities of TEA as the designated state agency and the responsibilities of TCDD consistent with the DD Act and the State Act.

II. GENERAL AGREEMENTS

The State Act establishes the TCDD as a separate entity under state law, and delegates authority to the TCDD for all programmatic activities conducted with funds available to the TCDD. The State Act also establishes the Executive Director of the TCDD as the executive head of agency for the TCDD. TEA is responsible as the Designated State Agency to provide the services and support as indicated in this Memorandum of Understanding.

TCDD staff will be subject to the administrative rules and policies of the State of Texas and of its cognizant federal authorities. Pursuant to the State Act, the TCDD is responsible for selecting and hiring the Executive Director, when that position becomes vacant, and supervising the Executive Director consistent with state personnel policies and procedures of the TCDD. The TCDD Chair will prepare an annual performance evaluation of the TCDD Executive Director and serve as the "supervisor's supervisor" when required by state law or regulations.

The parties agree that TCDD staff will be responsible solely for TCDD activities and responsibilities and will not be assigned other duties nor guided in implementing activities by the TEA. It is TCDD's intent to be responsive to the limitations of TEA set forth in state law and regulation related to personnel decisions. In like manner, it is TEA's intent to be responsive to the intent of the DD Act that provides for the Council to determine the numbers and types of staff necessary to carryout TCDD responsibilities and activities. At any time that the Council determines the need to increase the number of TCDD staff positions above 18 currently authorized FTE's, TCDD and TEA shall jointly determine the procedure and timing for that increase to occur. Unless otherwise separately agreed by TCDD, those positions are available only to the TCDD and are not subject to staffing reductions of the TEA.

TCDD will work cooperatively with TEA to establish procedures for the processing of TCDD grants, contracts and personnel actions, recognizing that state and federal law vest fiscal, personnel, and rulemaking authority in the Council concerning activities carried out with funds available to TCDD. Federal law establishes that the TEA, and any other agency, office, or entity of the State, will not interfere with the advocacy, capacity building, and systemic change activities, budget, personnel, State plan development, or plan implementation of the Council.

TEA will provide administrative support services to the TCDD as detailed in this MOU. The provision of these services are subject to TEA's then-current operating procedures and systems. Nothing in this MOU obligates TEA to provide or purchase for TCDD any administrative service or support not regularly available or provided by TEA. Any requests by TCDD for modification to TEA services or support shall be subject to negotiation at the time of the request and to additional reimbursement as allowed by the DD Act. TCDD agrees to cooperate with TEA in providing any information needed by TEA to carry out its duties.

III. FINANCIAL, BUDGETING AND ACCOUNTING SERVICES

TEA has the following responsibilities and duties in state and federal law:

- A. Receive, account for and disburse funds on behalf of TCDD in accordance with the state and federal law and as authorized by TCDD staff, provided that TEA shall not encumber any funds

available to TCDD, transfer any funds between TCDD budget categories or from TCDD to any other entity, or otherwise initiate charges or expenses against funds available to TCDD without specific authorization in advance by TCDD.

- B. Provide the fiscal controls and fund accounting procedures necessary for proper disbursement of and accounting for TCDD funds.
- C. Prepare required state and federal financial reports regarding TCDD funds, including TCDD review prior to submittal.
- D. Provide payroll services consistent with state and federal requirements.
- E. Provide timely financial information to TCDD to allow for the preparation of required fiscal reports to state and federal authorities.
- F. Provide or assist TCDD in securing the non-federal share of the cost of projects as required by federal law.
- G. Support TCDD in developing required state budget, strategic plan, performance measures, and appropriations request materials and related items (and other state reporting).

IV. HUMAN RESOURCES

TEA agrees to provide the following Human Resources services to TCDD:

- A. For state payroll and benefits purposes, administratively maintain TCDD employees as TEA employees.
- B. TEA agrees to provide recruitment, posting and processing of applications for TCDD positions.
- C. TEA will ensure compliance with EEO and ADA related matters and will act as the TCDD Executive Director's designee to implement a program of equal opportunity employment for the TCDD as required by the Texas Commission on Human Rights and state law.
- D. Other HR services as appropriate.

V. INFORMATION TECHNOLOGY SERVICES

TEA agrees to provide the following information technology services to TCDD:

- A. Information technology (IT) support to TCDD shall be provided through TEA Interagency agreements with the Department of Information Resources (DIR) and the state Data Center Service.
- B. TEA IT support to TCDD includes but is not limited to security oversight and operational functions to ensure compliance with the DIR TAC §202 requirements
- C. TEA IT support includes monitoring, provisioning and support for desktop and laptop computers, printers, networking server and network infrastructure, E-mail accounts, network connections (including LAN equipment and data circuits) and related hardware and software applications. As required to meet confidentiality requirements.
- D. TCDD will follow TEA Operating Procedures pertaining to information security and encourage TCDD employees to attend TEA information security classes.
- E. TEA IT support shall be provided in a manner that assures separate identity for TCDD computer functions including website (www.tcdd.texas.gov) and email (e.g. Roger.Webb@tcdd.texas.gov)

VI. OTHER ADMINISTRATIVE SERVICES

TEA agrees to provide the following administrative services to the TCDD unless TEA and TCDD jointly agree for TCDD to contract for such services separately:

- A. Provide appropriate assurances for the TCDD State Plan and consult with TCDD to maintain consistency of the State Plan with state law.
- B. Purchasing and procurement services that will enable TCDD to procure and receive goods and services consistent with state requirements and upon its own authority, including support and assistance concerning lease space for TCDD offices. TCDD personnel responsible for contract

development and processing will consult with appropriate TEA personnel and participate in related TEA training.

- C. Training, professional development, and consultation services provided through TEA (Office of Organizational Effectiveness) to TCDD personnel as appropriate.
- D. Bulk mail services directly or through contract with another state agency.

VII. BUSINESS CONTINUITY AND DISASTER RECOVERY SERVICES

TEA and TCDD agree to furnish mutual aid to each other in the event of a declared disaster:

- A. The requesting party will notify the loaning party immediately upon declaration of a disaster. Services shall be made available to the receiving party within two hours of the notification.
- B. The loaning party will provide space, telephony, desktop and/or laptop computer equipment, and supplies to the requesting party. The loaning party, in its sole discretion, shall determine what can be spared at the time of the disaster without placing its own agency in jeopardy.
- C. The loaning party agrees to allocate a conference room to accommodate a minimum of 10 staff, with power to connect computers, and equipped with one conference phone. The requesting party will provide agency laptops, cell phones, and wireless hot spots, whenever possible.
- D. The requesting party will have sole use of the allocated space during the period of occupancy.
- E. All equipment and personnel loaned hereunder shall be returned upon demand of the lending party or when released by the requesting party upon the cessation of the emergency.
- F. No charge shall be assessed for services rendered by either party.
- G. TEA will include TCDD in their Business Continuity Plan for systems and business recovery.

VIII. OTHER UNDERSTANDINGS

- A. TEA understands that TCDD shall develop and authorize funding activities to implement goals and objectives in the approved TCDD State Plan within the limitations of available funds and applicable state and federal regulations. TCDD shall manage all aspects of the application, review, and approval processes for grants and contracts and shall provide ongoing project development and grants management oversight to funded projects. DD funded grant projects shall abide by all terms of the grant award and with all applicable federal and state requirements including the Uniform Grant Management Standards (UGMS) developed by the Governor's Office of Budget, Planning and Policy, and federal rules promulgated by the Office of Management and Budget (OMB) where applicable. Except as otherwise stated in this agreement, TCDD is solely responsible for the grant selection, award, and management activities of the Council. The TCDD Executive Director or his designee is the authorized signatory for all TCDD grants and contracts.
- B. TCDD, as a separate state entity under law, will comply with State of Texas administrative rules and policies applicable to State agencies of similar size regarding the provision of internal audit services. It is understood by the parties that TCDD currently contracts separately for Internal Audit Services to ensure compliance with State requirements. Should TCDD determine not to continue to separately acquire such services, it promptly will notify TEA and the parties will mutually agree on the provision of such services by or through TEA, as may be necessary.
- C. TCDD will provide updated designations of TCDD personnel with approval authority for various TCDD financial and personnel actions, which personnel shall correspond, as closely as possible, with the equivalent positions and authority of TEA employees.

IX. COMPENSATION FOR ADMINISTRATIVE SERVICES

TCDD agrees to reimburse TEA for the administrative services provided under this MOU consistent with provisions of the DD Act. TCDD will reimburse TEA not more than \$50,000 each fiscal year for basic services of accounting, budget, purchasing and HR services provided that TEA provides at least an equal share from non-federal resources as state match through the application of the indirect cost rate. Information technology support (as noted in Section V.B.) and all other services

provided to TCDD by TEA will be reimbursed by TCDD to the extent allowed by state and federal law. TEA will provide TCDD documentation of the cost and allocation method for those services.

X. GENERAL PROVISIONS

Dispute Resolution: Disputes concerning implementation of this MOU between TCDD and TEA must first be resolved at the staff level if possible. If either party determines that the dispute cannot be resolved at the executive staff level, TCDD and TEA agree to pursue resolution through the use of mediation pursuant to the Government Dispute Resolution Act, Chapter 2009 of the Texas Government Code as applicable.

XI. TERM OF AGREEMENT

This MOU shall commence on September 1, 2015, and shall terminate on August 31, 2016. This MOU will be reviewed annually by the parties and will be renewed for additional (1) year periods to commence at the beginning of each fiscal year. This MOU may be expanded, modified, or amended at any time upon the mutual written agreement of TCDD and TEA.

This agreement may be terminated by mutual agreement of both parties. Either party may terminate the agreement by giving the other party written notice of its intent to terminate. Written notice may be sent by any written method which provides verification of receipt, and the 30 days will be calculated from the date of receipt. Such actions, however, do not alone affect the status of the Governor's designation of TEA as the TCDD designated state agency pursuant to provisions of the DD Act. In the event any provision of this agreement becomes unenforceable or void, such will not invalidate any other provision of this agreement.

THE UNDERSIGNED PARTICIPATING PARTIES do hereby certify that (1) the services specified above are necessary and essential for activities that are properly within the statutory functions and programs of the effected agencies of State Government, (2) the proposed arrangements serve the interest of efficient and economical administration of the State Government, and (3) the services, supplies, or materials in this MOU are not required by Section 21 of Article 16 of the Constitution of Texas to be supplied under Contract given to the lowest responsible bidder.

TCDD further certifies that it has the authority to receive the above services by authority granted in:

Executive Order RP-37.

TEA further certifies that it has authority to perform the above services by authority granted in:

Executive Order RP-37.

Texas Council for Developmental Disabilities Texas Education Agency

By: _____ By: _____

Mary Durham Shirley Beaulieu,
TCDD Chair Chief Financial Officer

Date: _____ Date: _____

TCDD Quarterly Financial Report		Tab 8
<p>Background:</p> <p>The Quarterly Financial Report is included for review by the Executive Committee and Council and includes the following information:</p> <ul style="list-style-type: none"> ➤ Summary of Funds FY 2013-2016 – The report summarizes funds budgeted from the federal allotment for the fiscal years reported and the actual or projected operating expenses for each of those years. From those amounts, projected balance of funds available for each year is shown for grants and shows the balance of funds available for planned projects. Note that expenditures are tied to the federal fiscal year grant awarded to TCDD regardless of whether those funds are expended during the 1st, 2nd, or 3rd year when they are available. Fiscal years 2014, 2015 and 2016, all show balances that can be re-obligated to future fiscal year projects. ➤ FY 2015 Expense Budgets – This report shows the approved operating budget and the amounts expended during the reporting period. For this report expenditures are shown from Oct. 1, 2014, thru Jun. 30, 2015. The report also provides year-to-date projected expenses for each category if expenses were evenly distributed during the year. All expenses are reported by expense category and by type of staff activity and indicate that expenses stay within the approved budget for the year. For this reporting period, benefits and supplies have exceeded the year to date projected amounts indicated by a negative variance. However the overall budget remains positive and within the approved budget. ➤ 2013, 2014 and 2015 Grants & Contracts Awards Reports – The Grants and Contracts Awards Reports provide simplified information of active grantees during each funding year. The reports include the budget period for each award; approved RFP amounts; awarded amounts (regardless of the year of funds used); expended amounts to date; and balances to be spent before the current budget period ends. Amounts shown as expended year to date are based on requests for reimbursements from grantees that have been processed. However, that date is usually 1-2 months behind actual expenditures on most grants, therefore do not reflect actual reimbursement amounts as of the date of these printed reports. ➤ Stipends Expenditures – Provides a summary of funds awarded or expended for each stipend grant recipient, the number of individuals attending the conference or seminar who benefited from those stipend funds, and how many of those participants also receive TCDD stipend support previously from that organization. Stipend Expenditures are included for FY14 and FY15. <p>Notes:</p> <ul style="list-style-type: none"> • The TCDD fiscal year is the federal fiscal year: October through September 30. • The DD Act allows two full federal fiscal years for initial awards/obligations of funds and allows three federal fiscal years for final expenditure/liquidation of funds. 		
<p>Executive Committee</p> <p>Agenda Item 11.</p>		<p>Expected Action:</p> <p>The Committee will review the Quarterly Financial Report and may provide additional guidance to staff.</p>
<p>Council</p> <p>Agenda Item 9. C.</p>		<p>Expected Action:</p> <p>The Council will receive a report from the Executive Committee about the Committee's review of the Quarterly Financial Report and may also provide additional guidance.</p>

Texas Council for Developmental Disabilities
Summary of Funds FY 2013 - 2016
July 2015

Model Key				
Numbers in black represent budget numbers or actuals for the current or prior years.				
Numbers in blue represent forecast numbers.				
Line Item	10/1/2011-9/30/2014	10/1/2012-9/30/2015	10/1/2013-9/30/2016	10/1/2014-9/30/2017
	FY 2013	FY 2014	FY 2015	FY 2016
REVENUES				
Federal Funds				
Estimate of Federal Award	\$4,794,740	\$4,804,064	\$4,742,116	\$4,745,717
Actual Award ¹	\$4,794,740	\$4,804,064	\$4,742,116	\$4,745,717
Prior year difference (Current FY Award - Prior FY Award)	(\$289,278)	\$9,324	(\$61,948)	\$3,601
EXPENDITURES				
Operating Expenses				
Approved by Council	\$1,782,379	\$1,678,208	\$1,696,128	\$1,853,464
Expenses ²	\$1,280,287	\$1,412,556	\$1,696,128	\$1,853,464
Balance of Operating Expense funds	\$502,092	\$265,652	\$0	\$0
Grants and Projects Expenses				
Available from Current Fiscal Year	\$3,514,453	\$3,391,508	\$3,045,988	\$2,892,253
Actual/Estimated Grant Awards ^{3 & 4}	\$3,514,356	\$3,305,603	\$2,070,714	\$1,988,165
Current Projects Difference (Available - Actual)	\$97	\$85,905	\$975,274	\$904,088
Prior Year Funds Available	\$0	\$0	\$85,905	\$416,179
BALANCE OF FUNDS AVAILABLE	\$0	\$0	\$1,061,179	\$1,320,267
Planned Projects ⁵	\$0	\$0	\$645,000	\$1,290,000
BALANCE AFTER PLANNED PROJECTS ⁶	\$97	\$85,905	\$416,179	\$30,267

NOTES:

¹ Final Allotment FY15 NOGA \$4,742,116 received 2-19-15.

² FY13 operating expenses charged to FY12 funds resulting in FY12-14 operating expenses partially charged to prior year funds.

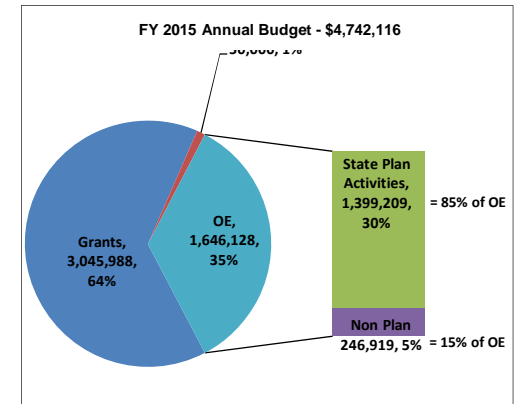
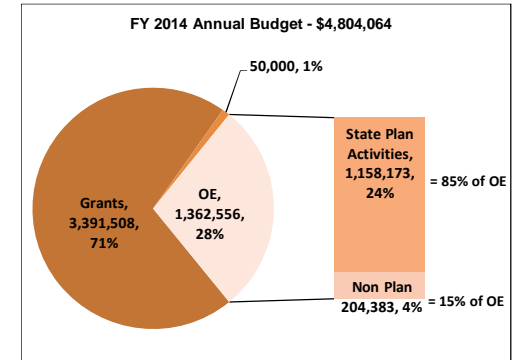
³ Funds awarded or anticipated to be awarded for authorized projects are included in projections of Grants and Project Expenses.

⁴ Funds awarded each Fiscal Year (FY) can be expended within 3 FY periods.

⁵ Planned Grants & Projects Expenses include projects planned and approved but not initiated.

Total amounts authorized are reflected although actual awards approved may be less.

⁶ 2014 Balance will be fully obligated by the end of Sept. 2015.



Texas Council for Developmental Disabilities

FY 15 Admin & Expense Budget

Oct. 1, 2014 thru
June 30, 2015

Expenses (Council Operations)	Budget	Year to Date Projected	Expended	Variance
Personnel (17 FTEs)				
Salaries	981,511	736,133.25	702,437	33,697
Benefits	234,933	176,199.75	212,024	(35,824)
Total Personnel	\$ 1,216,444	\$ 912,333	\$ 914,460	\$ (2,127)
Operating				
Professional Services ¹	96,014	72,010.50	47,621	24,390
Out-of-State Travel ²	27,000	20,250.00	4,727	15,523
In-State Travel ³	58,000	43,500.00	42,722	778
Supplies	12,000	9,000.00	9,414	(414)
Utilities	32,000	24,000.00	18,907	5,093
Rent - Building - Space	64,570	48,427.50	45,636	2,791
Rent - Computers - Equip ⁴	35,000	26,250.00	17,363	8,887
Capital Expenditures	-	-	-	-
Other OE ⁵	105,100	78,825.00	33,296	45,529
Total Operating	\$ 429,684	\$ 322,263	\$ 219,686	\$ 102,577
Total Expenses	Budget	YTD Budgeted	Actual	Variance
	1,646,128	1,234,596	1,134,146	100,450
Admin Reim to TEA	50,000	75.0%	68.9%	
TOTAL	\$ 1,696,128		\$ 1,184,146	
Expenditures by Function				
	Council Support	Public Policy & Communications	Projects Mgmt	Operations Support
\$	123,154	\$ 421,808	\$ 516,252	\$ 176,358

NOTES:

¹ Auditor - \$39,000/\$21,279; CPA Desk Reviews - \$8,000/\$5,775; Legal Svs - \$3,000/\$159
Web Hosting - \$3,000/\$1,200; Data Center Services - \$16,014/\$2,596

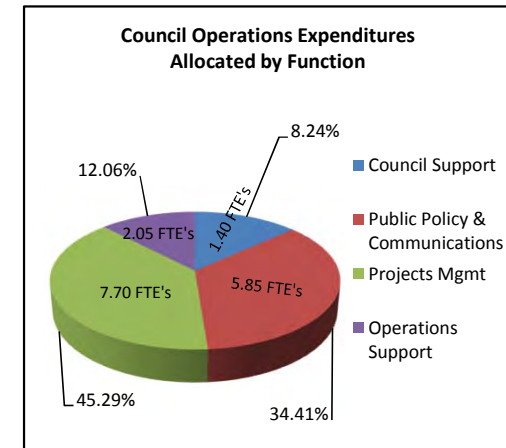
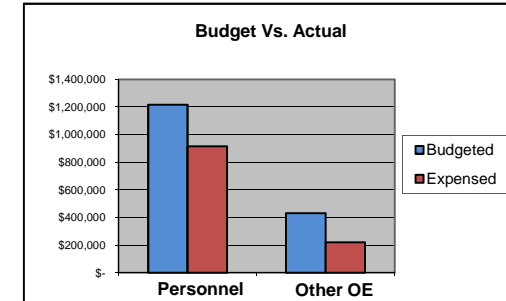
Other Professional Services - \$9,000/\$1,884; Reviewers - \$3,000/\$0; Temp Services - \$12,000/\$14,728

² Travel - Out-of-State Council - \$15,500 /\$1,900; Travel - Out-of-State Staff - \$11,500 /\$2,827

³ Travel - In-State Council - \$41,000 /\$35,724; Travel - In-State Staff - \$17,000 /\$9,824;

⁴ Computer lease - \$8,900/\$5,185; AV Equipment - \$21,420/\$9,488; Copier - \$4,680/\$12,646

⁵ Other OE - NACDD Dues - \$21,000, interpreter svs, registration fees, other training, maintenance, advertising, postage, printing, software, furniture, non-cap equip, security, and janitorial services-\$84,100.



2013 GRANTS & CONTRACTS AWARDS REPORT

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
A Circle of Ten		Building Community Capacity through Collaboration Projects-1		
1/1/2013 - 8/31/2014	\$75,000	\$110,000	\$110,000	\$0
A Circle of Ten		Capacity Building (Contract)		
1/2/2013 - 11/30/2013	\$37,000	\$37,000	\$36,627	\$373
Advocacy for Living in Mainstream America (ALMA)		Outreach & Development 8		
1/1/2013 - 12/31/2013	\$10,000	\$10,000	\$9,362	\$638
Any Baby Can of San Antonio, Inc		Health & Fitness 1		
3/1/2013 - 2/28/2014	\$250,000	\$228,610	\$228,610	\$0
ARCF Community Services		Outreach & Development 9		
7/1/2013 - 7/31/2014	\$10,000	\$7,367	\$7,367	\$0
Austin Travis County Integral Care		Central Texas African American Family Support Conference (Contract)		
9/1/2013 - 8/31/2014	\$6,870	\$6,870	\$2,926	\$3,944
Brighton School, Inc.		Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST		
10/1/2012 - 9/30/2013	\$20,000	\$20,000	\$20,000	\$0
Community Healthcore		Building Community Capacity through Collaboration Projects-2		
2/1/2013 - 8/31/2014	\$75,000	\$75,000	\$75,000	\$0
Data Momentum		Support for Advocacy U (Contract)		
3/1/2013 - 2/28/2014	\$15,000	\$15,000	\$6,998	\$8,002
Department of Assistive and Rehabilitative Services		Higher Education 3		
2/1/2013 - 3/31/2014	\$225,000	\$225,000	\$225,000	\$0
East Texas Center for Independent Living		Building Community Capacity through Collaboration Projects-3		
1/1/2013 - 5/31/2014	\$75,000	\$74,640	\$74,640	\$0
Educational Programs Inspiring Communities, Inc.		Enabling Technology 1		
6/1/2013 - 5/31/2014	\$225,000	\$225,000	\$225,000	\$0

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
Epilepsy Foundation Texas		Health & Fitness 2		
6/1/2013 - 6/30/2014	\$250,000	\$249,750	\$249,750	\$0
Imagine Enterprises Inc		Self-Advocacy as Speakers 2		
5/1/2013 - 11/30/2013	\$125,000	\$124,999	\$111,493	\$13,506
Imagine Enterprises Inc		Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST		
1/1/2013 - 12/31/2013	\$20,000	\$20,000	\$19,962	\$38
Jewish Family Service of Dallas		Inclusive Faith-Based Symposium 3		
5/1/2013 - 4/30/2014	\$75,000	\$75,000	\$75,000	\$0
NAMI Texas		New Leadership Development & Advocacy Skills Trng (NLDAST 3)		
4/1/2013 - 7/15/2014	\$75,000	\$74,971	\$74,971	\$0
OneStar Foundation		Inclusive Faith-Based Symposium 1		
4/16/2013 - 4/30/2014	\$75,000	\$64,833	\$64,833	\$0
Paso del Norte Children's Development Center		Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST		
10/1/2012 - 9/30/2013	\$20,000	\$20,000	\$19,872	\$128
REACH Families		Outreach & Development 10		
9/1/2013 - 8/31/2014	\$10,000	\$9,903	\$9,893	\$10
Region 17 ESC		Families in Schools		
6/1/2013 - 6/30/2014	\$300,000	\$300,000	\$300,000	\$0
Region 19 ESC		Exp of Existing Leadership Development & Advocacy Skills Trng Projects (ELDAST		
10/1/2012 - 9/30/2013	\$20,000	\$20,000	\$19,716	\$284
SafePlace		Meaningful Relationships		
8/1/2013 - 8/31/2014	\$125,000	\$123,527	\$123,527	\$0
Strategic Education Solutions, LLC		Enabling Technology 2		
5/1/2013 - 5/31/2014	\$225,000	\$225,000	\$225,000	\$0
Texas A&M University		Higher Education 1		
3/1/2013 - 2/28/2014	\$225,000	\$225,000	\$225,000	\$0

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
Texas A&M University		L&A Statewide Advanced Training		
4/1/2013 - 10/31/2013	\$150,000	\$214,742	\$213,923	\$819
Texas A&M University		New Leadership Development & Advocacy Skills Trng (NLDAST 2)		
8/1/2013 - 7/31/2014	\$75,000	\$75,000	\$74,993	\$7
Texas Advocates		New Leadership Development & Advocacy Skills Trng (NLDAST 1)		
5/1/2013 - 5/31/2014	\$75,000	\$75,000	\$75,000	\$0
Texas Center for Disability Studies		Support for Advisory Committee Member Travel		
10/1/2012 - 10/31/2012	\$46,346	\$46,346	\$44,704	\$1,642
Texas Center for Disability Studies		Support for Advisory Committee Member Travel		
11/1/2012 - 6/30/2015	\$45,747	\$45,747	\$54,020	(\$8,273)
Texas Parent to Parent		Public Policy Collaboration Activities		
3/1/2013 - 2/28/2014	\$0	\$58,700	\$58,700	\$0
Texas State Independent Living Council		New Leadership Development & Advocacy Skills Trng (NLDAST 7)		
2/1/2013 - 1/31/2014	\$75,000	\$75,000	\$75,000	\$0
Texas State Independent Living Council		Health & Fitness 3		
4/1/2013 - 4/30/2014	\$250,000	\$250,000	\$250,000	\$0
Texas Tech University		Project SEARCH		
10/1/2012 - 9/30/2013	\$175,000	\$174,854	\$174,844	\$10
Texas Tech University		Building Community Capacity through Collaboration Projects-4		
1/1/2013 - 12/31/2013	\$75,000	\$74,996	\$74,935	\$61
Texas Tech University		Higher Education		
12/1/2012 - 10/31/2013	\$225,000	\$217,079	\$216,946	\$133
The Arc of Dallas		New Leadership Development & Advocacy Skills Trng (NLDAST 4)		
4/1/2013 - 3/31/2014	\$75,000	\$75,000	\$75,000	\$0
The Arc of Greater Tarrant County		Inclusive Faith-Based Symposium 2		
7/1/2013 - 8/31/2014	\$75,000	\$75,000	\$73,755	\$1,245

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
The Arc of San Angelo		Alternatives to Guardianship-Volunteer Advocate Pilot Program		
5/1/2013 - 4/30/2014	\$75,000	\$75,000	\$75,000	\$0
The Arc of Texas		New Leadership Development & Advocacy Skills Trng (NLDAST 5)		
5/1/2013 - 5/31/2014	\$75,000	\$75,000	\$75,000	\$0
The Arc of Texas		Texas Microboard Collaboration		
10/1/2012 - 9/30/2013	\$0	\$62,596	\$62,596	\$0
Volar Center for Independent Living		Building Community Capacity through Collaboration Projects-5		
1/1/2013 - 6/30/2014	\$75,000	\$75,000	\$75,000	\$0
VSA Arts of Texas		Self-Advocacy as Speakers 1		
5/1/2013 - 5/31/2014	\$125,000	\$125,000	\$125,000	\$0
West Central Texas Regional Foundation		Inclusive Faith-Based Symposium 4		
2/1/2013 - 2/15/2014	\$75,000	\$74,322	\$74,322	\$0
Totals:	\$4,335,963	\$4,511,852	\$4,489,285	\$22,567

2014 GRANTS & CONTRACTS AWARDS REPORT

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
A Circle of Ten		Capacity Building (Contract)		
11/1/2013 - 12/31/2013	\$37,000	\$37,000	\$36,627	\$373
A Circle of Ten		Capacity Building (Contract)		
1/1/2014 - 12/31/2014	\$25,000	\$25,000	\$24,992	\$8
Access Empowerment		Accessible Parking Awareness (1)		
1/1/2014 - 6/30/2014	\$40,000	\$39,053	\$38,920	\$133
Any Baby Can of San Antonio, Inc		Health & Fitness 1		
3/1/2014 - 2/28/2015	\$250,000	\$205,749	\$205,749	\$0
Austin Travis County Integral Care		Video Production (Contract)		
2/1/2014 - 4/30/2014	\$10,535	\$10,535	\$4,124	\$6,411
Austin Travis County Integral Care		Central Texas African American Family Support Conference (Contract)		
11/1/2013 - 8/31/2015	\$4,225	\$4,225	\$0	\$4,225
Coalition of Texans with Disabilities		Developmental Disabilities Policy Fellows 1		
8/1/2014 - 7/31/2015	\$67,500	\$67,500	\$53,021	\$14,479
Community Healthcore		Building Community Capacity through Collaboration Projects-2		
9/1/2014 - 11/30/2015	\$150,000	\$138,046	\$48,420	\$89,626
Data Momentum		Support for Advocacy U (Contract)		
10/1/2013 - 2/28/2014	\$15,000	\$15,000	\$6,998	\$8,002
Department of Assistive and Rehabilitative Services		Higher Education 3		
4/1/2014 - 2/28/2015	\$225,000	\$225,000	\$213,404	\$11,596
Educational Programs Inspiring Communities, Inc.		Enabling Technology 1		
6/1/2014 - 5/31/2015	\$225,000	\$225,000	\$225,000	\$0
Epilepsy Foundation Texas		Health & Fitness 2		
7/1/2014 - 6/30/2015	\$250,000	\$250,000	\$236,682	\$13,318

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
Growing Roots		Outreach & Development 14		
7/1/2014 - 6/30/2015	\$10,000	\$9,110	\$7,284	\$1,826
Helpful Interventions		Gulf Coast African American Family Support Conference		
10/1/2013 - 9/30/2014	\$75,000	\$75,000	\$75,000	\$0
Imagine Enterprises Inc		Self-Advocacy as Speakers 2		
12/1/2013 - 5/31/2014	\$125,000	\$124,999	\$111,493	\$13,506
Imagine Enterprises Inc		Self-Advocacy as Speakers 2		
6/1/2014 - 5/31/2015	\$125,000	\$125,000	\$120,031	\$4,969
Jewish Family Service of Dallas		Inclusive Faith-Based Symposium 3		
5/1/2014 - 5/15/2015	\$75,000	\$75,000	\$75,000	\$0
Moody Clinic		Outreach & Development 11		
1/1/2014 - 12/31/2014	\$10,000	\$10,000	\$9,992	\$8
Nuevos Horizontes de Starr County		Outreach & Development 13		
9/1/2014 - 8/31/2015	\$10,000	\$9,955	\$5,408	\$4,547
OneStar Foundation		Inclusive Faith-Based Symposium 1		
5/1/2014 - 3/31/2015	\$75,000	\$66,931	\$66,931	\$0
Region 17 ESC		Families in Schools		
7/1/2014 - 7/31/2015	\$300,000	\$300,000	\$219,896	\$80,104
SafePlace		Meaningful Relationships		
9/1/2014 - 8/31/2015	\$125,000	\$115,029	\$68,342	\$46,687
Strategic Education Solutions, LLC		Enabling Technology 2		
6/1/2014 - 5/31/2015	\$225,000	\$225,000	\$225,000	\$0
Texas A&M University		Higher Education 1		
3/1/2014 - 8/31/2014	\$225,000	\$225,000	\$224,981	\$19
Texas A&M University		Higher Education 1		
9/1/2014 - 2/28/2015	\$225,000	\$225,000	\$224,981	\$19

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
Texas A&M University		New Leadership Development & Advocacy Skills Trng (NLDAST 2)		
8/1/2014 - 5/31/2015	\$75,000	\$75,000	\$55,473	\$19,527
Texas Advocates		New Leadership Development & Advocacy Skills Trng (NLDAST 1)		
6/1/2014 - 5/31/2015	\$75,000	\$75,000	\$74,903	\$97
Texas Center for Disability Studies		DADS PCT Training (Contract)		
1/1/2014 - 8/31/2014	\$30,000	\$30,000	\$365	\$29,635
Texas Center for Disability Studies		DADS PCT Training (Contract)		
9/1/2014 - 8/31/2015	\$30,000	\$30,000	\$13,474	\$16,526
Texas Parent to Parent		Public Policy Collaboration Activities		
3/1/2014 - 2/28/2015	\$0	\$55,800	\$55,800	\$0
Texas State Independent Living Council		New Leadership Development & Advocacy Skills Trng (NLDAST 7)		
2/1/2014 - 1/31/2015	\$75,000	\$75,000	\$75,000	\$0
Texas State Independent Living Council		Health & Fitness 3		
5/1/2014 - 4/30/2015	\$250,000	\$245,000	\$245,000	\$0
Texas Tech University		Higher Education		
11/1/2013 - 1/31/2014	\$225,000	\$217,079	\$216,946	\$133
Texas Tech University		Project SEARCH		
10/1/2013 - 9/30/2014	\$175,000	\$174,666	\$174,666	\$0
Texas Tech University		Building Community Capacity through Collaboration Projects-4		
1/1/2014 - 12/31/2014	\$150,000	\$150,000	\$150,000	\$0
Texas Tech University		Higher Education		
2/1/2014 - 2/28/2015	\$225,000	\$220,089	\$220,089	\$0
The Arc Del Paso		Outreach & Development 12		
1/1/2014 - 12/31/2014	\$10,000	\$10,000	\$9,999	\$1
The Arc of Dallas		New Leadership Development & Advocacy Skills Trng (NLDAST 4)		
4/1/2014 - 3/31/2015	\$75,000	\$75,000	\$75,000	\$0

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
The Arc of Greater Tarrant County		Inclusive Faith-Based Symposium 2		
9/1/2014 - 2/28/2015	\$59,000	\$58,992	\$58,992	\$0
The Arc of Texas		Developmental Disabilities Policy Fellows 2		
8/1/2014 - 8/31/2015	\$67,500	\$67,500	\$25,285	\$42,215
The Arc of Texas		New Leadership Development & Advocacy Skills Trng (NLDAST 5)		
6/1/2014 - 5/31/2015	\$75,000	\$75,000	\$71,057	\$3,943
Travis County		Accessible Parking Awareness (2)		
1/1/2014 - 6/30/2014	\$40,000	\$37,125	\$37,125	\$0
VSA Arts of Texas		Self-Advocacy as Speakers 1		
6/1/2014 - 5/31/2015	\$125,000	\$125,000	\$125,000	\$0
West Central Texas Regional Foundation		Inclusive Faith-Based Symposium 4		
2/16/2014 - 1/31/2015	\$75,000	\$74,988	\$74,988	\$0
Totals:	\$4,740,760	\$4,699,371	\$4,287,438	\$411,933

PLANNED GRANTS/CONTRACTS

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
7-Partnership with AA Clergy to Support Families		Partnership with AA Clergy to Support Families-		
6/1/2014 - 5/31/2015	\$25,000	\$0	\$0	\$0
PP Committee-Capacity Building		PP Committee-Capacity Building-Balance		
12/1/2013 - 11/30/2015	\$14,465	\$0	\$0	\$0
Totals:	\$39,465	\$0	\$0	\$0

2015 GRANTS & CONTRACTS AWARDS REPORT

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
A Circle of Ten		Building Community Capacity through Collaboration Projects-1		
12/1/2014 - 11/30/2015	\$150,000	\$114,000	\$54,774	\$59,226
Any Baby Can of San Antonio, Inc		Health & Fitness 1		
3/1/2015 - 2/28/2016	\$250,000	\$174,887	\$45,295	\$129,592
Department of Assistive and Rehabilitative Services		Higher Education 3		
2/1/2015 - 3/31/2015	\$225,000	\$225,000	\$213,404	\$11,596
Department of Assistive and Rehabilitative Services		Higher Education 3		
4/1/2015 - 3/31/2016	\$225,000	\$225,000	\$0	\$225,000
Educational Programs Inspiring Communities, Inc.		Enabling Technology 1		
6/1/2015 - 5/31/2016	\$225,000	\$225,000	\$0	\$225,000
Helpful Interventions		Gulf Coast African American Family Support Conference		
10/1/2014 - 8/31/2015	\$50,000	\$49,998	\$49,988	\$10
Special Kids, Inc. (SKI)		Outreach & Development 15		
4/1/2015 - 3/31/2016	\$10,000	\$10,000	\$1,706	\$8,294
Strategic Education Solutions, LLC		Enabling Technology 2		
6/1/2015 - 5/31/2016	\$225,000	\$224,925	\$9,090	\$215,835
Texas A&M University		Higher Education 1		
3/1/2015 - 2/29/2016	\$225,000	\$225,000	\$14,714	\$210,286
Texas Advocates		Self Advocate Community Organizing		
4/1/2015 - 3/31/2016	\$100,000	\$100,000	\$1,779	\$98,221
Texas Parent to Parent		Public Policy Collaboration Activities		
3/1/2015 - 1/31/2016	\$0	\$50,000	\$0	\$50,000

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
Texas State Independent Living Council		Health & Fitness 3		
5/1/2015 - 4/30/2016	\$250,000	\$238,000	\$18,212	\$219,788
Texas Tech University		Project SEARCH		
10/1/2014 - 9/30/2015	\$175,000	\$174,716	\$73,796	\$100,920
Texas Tech University		Building Community Capacity through Collaboration Projects-4		
1/1/2015 - 2/28/2015	\$20,000	\$19,175	\$19,175	\$0
Texas Tech University		Higher Education		
3/1/2015 - 2/29/2016	\$225,000	\$220,998	\$41,677	\$179,321
The Arc of San Angelo		Alternatives to Guardianship-Volunteer Advocate Pilot Program		
10/1/2014 - 3/31/2015	\$25,000	\$25,000	\$25,000	\$0
Volar Center for Independent Living		Building Community Capacity through Collaboration Projects-5		
10/1/2014 - 9/30/2015	\$125,000	\$125,000	\$67,906	\$57,094
VSA Arts of Texas		Self-Advocacy as Speakers 1		
6/1/2015 - 5/31/2016	\$125,000	\$125,000	\$0	\$125,000
Totals:	\$2,630,000	\$2,551,699	\$636,516	\$1,915,183

PLANNED GRANTS/CONTRACTS

Budget Period	RFP Amount	Awarded Amount	YTD Expended Amount	Balance
1-Targeted Online Training		Targeted Online Training		
6/1/2015 - 5/31/2016	\$15,000	\$0	\$0	\$0
2-Understanding Employment Options & Support Training		Understanding Employment Options & Support Training-12/1/14		
6/1/2015 - 5/31/2016	\$150,000	\$0	\$0	\$0
3-Culturally Appropriate Family Support Conferences		Culturally Appropriate Family Support Conferences (5 @ \$75k/yr)-2/1/15		
6/1/2014 - 5/31/2015	\$375,000	\$0	\$0	\$0
4-Stakeholder Trng on Guardianship Alternatives		Stakeholder Trng on Guardianship Alternatives		
6/1/2015 - 5/31/2016	\$40,000	\$0	\$0	\$0
5-Support Network for Faith-Based Inclusion		Support Network for Faith-Based Inclusion		
6/1/2015 - 5/31/2016	\$75,000	\$0	\$0	\$0
6-Leadership Development and Advocacy Trng		Leadership Development and Advocacy Trng		
6/1/2016 - 5/31/2017	\$300,000	\$0	\$0	\$0
7-Partnership with AA Clergy to Support Families		Partnership with AA Clergy to Support Families-		
12/1/2014 - 11/30/2015	\$75,000	\$0	\$0	\$0
Developmental Disability Policy Fellowships		Developmental Disability Policy		
6/1/2015 - 5/31/2016	\$135,000	\$0	\$0	\$0
PP Committee-Capacity Building		PP Committee-Capacity Building-Balance		
10/1/2014 - 9/30/2015	\$25,000	\$0	\$0	\$0
Totals:	\$1,190,000	\$0	\$0	\$0

S T I P E N D E X P E N D I T U R E S

ORGANIZATION	MONTH OF EVENT	EXPENDED	NUMBER SERVED	PREVIOUSLY SERVED	COMMENTS/CLOSED
FYE 9-30-14					
Barbara Jordan Endeavors Corp	Oct-2013	4,912	94	0	✓
A Circle of Ten	Oct-2013	3,553	87	0	✓
The University of Texas at El Paso	Oct-2013	5,000			Speakers ✓
Volar Center for Independent Living	Oct-2013	6,000	75	25	✓
Area Network on Disabilities & Aging	Oct-2013	2,600	55	6	✓
DADS	Feb-2014	1,983	213		Speakers ✓
The Arc of Texas	Feb-2014	4,665	39	6	✓
Jewish Family Services of Houston	Feb-2014	6,000			✓
ADDA-SR	Feb-2014	4,872	41	0	✓
Austin Travis County Integral Care	Feb-2014	6,000	17	4	Conference ✓
Austin Travis County Integral Care	Feb-2014	6,000			Speakers ✓
Family to Family Network Inc	Mar-2014	1,174			Presenters ✓
Family to Family Network Inc	Mar-2014	4,210	172	0	Conference ✓
Texas Parent to Parent	Jun-2014	6,000	45	11	✓
American Association on Intellectual & Developmental Disabilities Texas Chapter (AAIDD-TX)	Jul-2014	1,755	6	3	✓
Texas Advocates	Aug-2014	5,930	65	18	
Providers Alliance for Community Services of Texas (PACSTX)	Sep-2014	6,000	281		Speakers ✓
TOTALS:		\$76,654	1,190	73	

FYE 9-30-15

Centro de Salud Familiar La Fe, Inc.	Oct-2014	4,355	67	25	✓
Volar Center for Independent Living	Oct-2014	6,000	65	29	✓
National Association for the Dually Diagnosed (NADD)	Nov-2014	910	1	0	✓
NAMI Texas	Nov-2014	3,520	16	0	✓
Helpful Interventions	Nov-2014	917	7	0	Conference ✓
Helpful Interventions	Nov-2014	6,000	190	0	Speakers ✓
Austin Travis County Integral Care	Feb-2015	6,000	500	0	Speakers

S T I P E N D E X P E N D I T U R E S

ORGANIZATION	MONTH OF EVENT	EXPENDED	NUMBER SERVED	PREVIOUSLY SERVED	COMMENTS/CLOSED
Austin Travis County Integral Care	Feb-2015	6,000	19	6	Conference
The Arc of Texas	Feb-2015	5,956			
ADDA-SR	Feb-2015	5,428	35	0	✓
Children's Disabilities Information Coalition	Mar-2015	1,000	5	0	
Coalition of Texans with Disabilities	Mar-2015	5,528	46	7	✓
Harris County Department of Education	Jun-2015	6,000			Speakers
Texas Advocates	Jul-2015	5,972			
Childhood Apraxia of Speech Association of North America	Jul-2015	6,000			Speakers
University of North Texas	Jul-2015	5,625			
American Association on Intellectual & Developmental Disabilities Texas Chapter (AAIDD-TX)	Jul-2015	6,000			
Providers Alliance for Community Services of Texas (PACSTX)	Sep-2015	6,000			
TOTALS:		\$87,211	951	67	

NOTE: Budgeted amount used if stipend is not closed.

FY 2016 Operating Expense Budget		Tab 9
<p><u>Background:</u></p> <p>A proposed Operating Budget to support staff and Council operations for Fiscal Year 2016 is enclosed. This proposed budget assumes federal funding for FY 2016 to be \$4,745,717. The proposed FY 2016 Operating Budget estimates increases for various expense categories based on previous year expenditures. Funds not used for Council and staff support will be made available for grant projects as the fiscal year progresses.</p> <p>The proposed budget includes funds for 17 filled full time staff positions and increased by \$157,336.</p>		
<p><u>Executive Committee</u></p> <p><u>Agenda Item 12.</u></p>	<p><u>Expected Action:</u></p> <p>The Executive Committee will review the information provided and may recommend Council approval.</p>	
<p><u>Council</u></p> <p><u>Agenda Item 8.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will consider Executive Committee recommendations on this subject.</p>	

TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

PROPOSED FY 2016 BUDGET

	BUDGETED FY 2015 (10/14-9/15)	% OF WHOLE	PROJECTED YEAR END EXPENDITURE FY 2015 (10/14-9/15)	% OF WHOLE	PROPOSED BUDGET FY 2016 (10/15-9/16)	% OF WHOLE	VARIANCE	NOTES
Revenues								
<i>Federal Allotment</i>	\$4,742,116	100.0%	\$4,742,116	100.0%	\$4,745,717	100.0%	\$3,601	1
		0.0%		0.0%				
Total Revenues	\$4,742,116	100.0%	\$4,742,116	100.0%	\$4,745,717	100.0%	\$3,601	
Expenses								
Council Operations	17 FTE		17 FTE		17 FTE			
Salaries	\$981,511	20.7%	936,582.04	19.8%	\$1,033,324	21.8%	\$51,813	
Benefits	234,933	5.0%	282,698.01	6.0%	304,784	6.4%	69,851	
Professional Services	96,014	2.0%	63,494.59	1.3%	108,000	2.3%	11,986	2
Out-of-State Travel	27,000	0.6%	6,302.95	0.1%	25,000	0.5%	(2,000)	3
In-State Travel	58,000	1.2%	56,962.33	1.2%	58,000	1.2%	0	3
Supplies	12,000	0.3%	12,551.69	0.3%	12,000	0.3%	0	
Utilities	32,000	0.7%	25,209.25	0.5%	32,000	0.7%	0	4
Rent - Building - Space	64,570	1.4%	60,848.41	1.3%	69,989	1.5%	5,419	5
Rent - Computers - Equip	35,000	0.7%	23,150.35	0.5%	40,000	0.8%	5,000	6
Capital Expenditures	0	0.0%	-	0.0%	0	0.0%	0	
Other Oper. Expenses	105,100	2.2%	44,394.99	0.9%	120,367	2.5%	15,267	7
Total Operating Expenses	\$1,646,128	34.7%	\$1,512,195	31.9%	\$1,803,464	38.0%	\$157,336	
Admin. Reimb. To TEA	\$50,000	1.1%	\$50,000	1.1%	\$50,000	1.1%		
Available for Grants	\$3,045,988	64.2%	\$3,179,921	67.1%	\$2,892,253	60.9%	(\$153,735)	
TOTAL EXPENSES	\$4,742,116	100%	\$4,742,116	100%	\$4,745,717	100%	\$3,601	

NOTES:

¹ Overall increase of FY 16 is \$157,336

² Professional Services: Training - \$15,000; Auditor - \$41,700 (Internal \$37,700 & Peer \$4,000);
CPA Desk Reviews - \$8,000; Legal Services - \$3,000; Job Coaches - \$5,500; Review Panelist - \$4,000;
Web Hosting - \$1,800; Computer Programming w/TEA \$5,000;
Other contracted \$24,000 (Consultants \$6,000 & Temp Services \$18,000)

³ Travel - In-State Council - \$41,500; Out-of-State Council - \$12,250

Travel - In-State Staff - \$16,500; Out-of-State Staff - \$12,250

⁴ Utilities - \$11,260; Telecommunications - \$17,740; Dedicated Circuit - \$3,000

⁵ Rent-Building & Space: Office & Storage Space - \$46,389; Quarterly Council Facility Rooms - \$23,600

⁶ Rent-Machine - Rental of laptops - \$8,890; Quarterly Council AV rental - \$26,500; Rental of copier - \$4,610

⁷ Other OE: NACDD Dues - \$22,000; Contingency for 18th FTE - \$0, Printing,

Registration, Publications, Maintenance & Repair, Postage, Cleaning, Delivery, Advertising, Interpreter/translator,
Security, Furniture & Equipment, Software, and Awards - \$98,367

Public Policy Legislative Summary		Tab 10
<p><u>Background:</u></p> <p>TCDD Public Policy Staff have compiled a list of bills passed by the 84th Texas Legislature as well as billed that failed to pass. The attached list is a summary of the status of select bills followed by the Council in the following issue areas:</p> <ul style="list-style-type: none"> • Healthcare • Long Term Services and Supports • Mental Health • Employment and Higher Education • Education • Miscellaneous <p>Also included in this legislative summary are blog posts relating to:</p> <ul style="list-style-type: none"> • Sunset Advisory Commission and Health and Human Services • Autism services • Transition from Medicaid to Managed Care <p>A budget summary will be provided with handouts at the meeting.</p>		
<p><u>Committee of the Whole</u></p> <p><u>Agenda Item 4.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will receive updates on legislation and funding outcomes from the 84th Texas Legislature.</p>	
<p><u>Public Policy Committee</u></p> <p><u>Agenda Item 6.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will receive updates on and discuss legislation and funding outcomes from the 84th Texas Legislature.</p>	
<p><u>Council</u></p> <p><u>Agenda Item 11. A.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will receive reports from the Public Policy Committee and consider any recommendations offered from the Committee.</p>	

HEALTHCARE - PASSED

HB 606



[Davis, Sarah\(R\)](#)
[Huffman, Joan\(R\)](#)

Relating to a study on the benefits of prenatal surgical procedures to treat birth defects.

Remarks: Requires the Health and Human Services Commission to conduct a study for cost benefit of specific surgeries for treating a birth defect before a child is born.

Last Action: 9- 1-15 G Earliest effective date

HB 751



[Zerwas, John\(R\)](#)
[Kolkhorst, Lois \(F\)\(R\)](#)

Relating to the prescription and pharmaceutical substitution of biological products.

Remarks: Allows pharmacies to substitute biologicals and biosimilars for prescription medications that are substantially the same, without the physician's approval.

Last Action: 9- 1-15 G Earliest effective date

HB 1038



[Sheffield, J.D.\(R\)](#)
[Watson, Kirk\(D\)](#)

Relating to insurance coverage for hemophilia medical treatment.

Remarks: Adds premium payment assistance to state's hemophilia assistance program.

Last Action: 6-17-15 G Earliest effective date

HB 1624



[Smithee, John\(R\)](#)
[Seliger, Kel\(R\)](#)

Relating to transparency of certain information related to certain health benefit plan coverage.

Remarks: Requires the Texas Department of Insurance to develop a template for insurance companies to display their formulary and provider directories on their website.

Last Action: 9- 1-15 G Earliest effective date

HB 1878



[Laubenberg, Jodie\(R\)](#)
[Taylor, Van \(F\)\(R\)](#)

Relating to the reimbursement of providers under the Medicaid program for the provision of telemedicine medical services in a school-based setting.

Remarks: Requires Medicaid reimbursement when physicians provide telemedicine services in a primary or secondary school setting.

Last Action: 9- 1-15 G Earliest effective date

HB 2641



[Zerwas, John\(R\)](#)
[Schwertner, Charles\(R\)](#)

Relating to the exchange of electronic health information in this state.

Remarks: Requires interoperability of health information technology standards of American National Standards Institute.

Last Action: 9- 1-15 G Earliest effective date

HB 3374



[Morrison, Geanie\(R\)](#)
[Lucio, Eddie\(D\)](#)

Relating to information regarding Down syndrome.

Remarks: Requires health care providers to provide current evidence based information on Down Syndrome to an expectant mother who has a test that indicates probability of a child with Down Syndrome. Prohibits information about termination.

Last Action: 9- 1-15 G Earliest effective date

HB 3519



[Guerra, Bobby\(D\)](#)
[Watson, Kirk\(D\)](#)

Relating to the use of home telemonitoring services under the Medicaid program.

Remarks: Extends the elimination of Medicaid reimbursement for home telemonitoring to September 2019, which was established in Texas in 2013.

Last Action: 9- 1-15 G Earliest effective date

SB 339



[Eltime, Kevin\(R\)](#)
[Klick, Stephanie\(R\)](#)

Relating to the medical use of low-THC cannabis and the regulation of related organizations and individuals.

Remarks: Creates the Texas Compassionate-Use Act to provide access to low THC cannabis for persons with intractable seizures.

Last Action: 6- 1-15 G Earliest effective date

SB 760



[Schwertner, Charles\(R\)](#)
[Price, Four\(R\)](#)

Relating to provider access requirements for a Medicaid managed care organization.

Remarks: Requires more appropriate network adequacy standards that are directly monitored. Requires expedited credentialing for some providers.

Last Action: 9- 1-15 G Earliest effective date

SB 791



[Kolkhorst, Lois \(F\)\(R\)](#)
[Zerwas, John\(R\)](#)

Relating to testing for and education about congenital cytomegalovirus in infants.

Remarks: Requires that congenital cytomegalovirus (CMV) informational materials are provided to pregnant women. CMV causes developmental and/or hearing loss in 1 in 500 infants whose mother contracts the virus during pregnancy.

Last Action: 9- 1-15 G Earliest effective date

HEALTHCARE – DID NOT PASS

HB 2082



[Laubenberg, Jodie\(R\)](#)

Relating to developing a pilot program to provide telemedicine medical services to certain children.

Remarks: Would have piloted telemedical services in the home of child who is technology dependent and being treated by three or more specialists.

Last Action: 5-18-15 S Referred to Senate Committee on Senate Health and Human Services

HB 2703



[Simmons, Ron\(R\)](#)

Relating to the establishment of the Texas Board of Behavior Analyst Examiners and the requirement to obtain a license to practice as a behavior analyst or assistant behavior analyst.

Remarks: Would have established a Texas Board of Behavior Analyst Examiners licensure and scope of practice. Did not include requirement in addition to the national certification requirements. BCBAs are required to be state certified in order to bill Medicaid for services provided by staff they supervise. Concerns raised that the requirements for supervised practice hours and other qualification factors were not on par with similar professionals like licensed professional counselors and licensed social workers.

Last Action: 5-18-15 S Referred to Senate Committee on Senate Health and Human Services

[HB 2835](#)



[King, Susan\(R\)](#)
[Kolkhorst, Lois \(F\)\(R\)](#)

Relating to the name of the program serving certain persons with special health care needs and prioritizing services provided under the program.

Remarks: Would have changed the name of Children with Special Health Care Needs (CSHCN) to Texas Special Health Care Needs Program to reflect the inclusion of persons with cystic fibrosis regardless of age and, to extent allowable, give priority to those with proof of citizenship or other documentation.

Last Action: 5-25-15 S Placed on the Senate Calendar for

[HB 2984](#)



[Hughes, Bryan\(R\)](#)

Relating to advance directives or health care or treatment decisions made by or on behalf of patients.

Remarks: Would have eliminated the ability of a physician who objects to continuing life-sustaining treatment from ending treatment until patient can find and be transferred to a facility willing to comply. This is known as treatment pending transfer.

Last Action: 3-18-15 H Introduced and referred to committee on House State Affairs

[HB 3473](#)



[Bonnen, Greg\(R\)](#)

Relating to the provision of a cranial molding orthosis under the medical assistance and child health plan programs.

Remarks: Would have added orthosis for children three months to 18 months with cranial deformities to health plans.

Last Action: 4-28-15 H Committee action pending House Public Health

[SB 1119](#)



[Lucio, Eddie\(D\)](#)

Relating to a pilot project to evaluate the use of telepractice to provide certain services to children and adults with an autism spectrum disorder.

Remarks: Would have required a six year pilot to provide services to children with autism via telemedicine from a listed university.

Last Action: 3-16-15 S Introduced and referred to committee on Senate Health and Human Services

[SB 1884](#)



[Zaffirini, Judith\(D\)](#)

Relating to the provision of cognitive rehabilitation therapy under the Medicaid program.

Remarks: Would have added cognitive rehabilitation therapy to the state plan.

Last Action: 3-25-15 S Introduced and referred to committee on Senate Health and Human Services

LONG TERM SERVICES AND SUPPORTS – PASSED

[HB 504](#)



[Guillen, Ryan\(D\)](#)
[Zaffirini, Judith\(D\)](#)

Relating to designating the second full week in September as Direct Support Professionals Week.

Remarks: Designates the 2nd week in September as Direct Support Professionals Week.

Last Action: 9- 1-15 G Earliest effective date

[HB 2789](#)



[Raymond, Richard\(D\)](#)
[Zaffirini, Judith\(D\)](#)

Relating to trauma-informed care training for certain employees of state supported living centers and intermediate care facilities.

Remarks: Requires initial pre-work and annual training on trauma-informed care for SSLC and ICF employees. Permits internet training.

Last Action: 9- 1-15 G Earliest effective date

HB 3523



[Raymond, Richard\(D\)](#)
[Perry, Charles \(F\)\(R\)](#)

Relating to improving the delivery and quality of Medicaid acute care services and long-term care services and supports.

Remarks: SB7 (2013) follow up that would update implementation dates and would re-authorize and provide more direction to oversight committees. See article Update: Transition to Managed Care on TCDD's website here: tcdd.texas.gov/transition-managed-care-june15-update/

Last Action: 6-19-15 G Earliest effective date

SB 169



[Uresti, Carlos\(D\)](#)
[King, Susan\(R\)](#)

Relating to ensuring that certain military members who reside out of state and their dependents maintain their positions on waiting lists for certain assistance programs provided by health and human services agencies.

Remarks: Ensures that military families stationed outside of Texas maintain their interest list position in their absence. Limit to one year maintenance on wait list after duty ends, or person dies in service.

Last Action: 6-15-15 G Earliest effective date

SB 304



[Schwertner, Charles\(R\)](#)
[Raymond, Richard\(D\)](#)

Relating to the abuse and neglect of residents of certain facilities.

Remarks: Requires licensure revocation for nursing facilities with three violations that constitute an immediate threat to the health and safety of a person. Some have suggested that this provision should apply to additional settings.

Last Action: 6-19-15 G Earliest effective date

LONG TERM SERVICES AND SUPPORTS – DID NOT PASS

HB 967



[Crownover, Myra\(R\)](#)

Relating to a pilot project to evaluate the use of radio frequency identification technology to transmit information regarding residents of certain group homes.

Remarks: Would have established pilot where a provider may use RFID device to identify and track resident of HCS group home with resident or guardian's consent.

Last Action: 5- 1-15 H Committee action pending House Human Services

HB 1623



[Laubenberg, Jodie\(R\)](#)

Relating to the reimbursement of providers for the provision of certain home telemonitoring services under the Medicaid program.

Remarks: Would have allowed telemonitoring for children with complex or chronic medical needs.

Last Action: 5-11-15 S Referred to Senate Committee on Senate Health and Human Services

HB 1739



[Moody, Joe\(D\)](#)

Relating to the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities.

Remarks: Would have increased personal needs allowance to \$75 per month. Does not include persons in HCS group homes with no minimum personal needs allowance.

Last Action: 3-12-15 H Introduced and referred to committee on House Human Services

[HB 3971](#)



[King, Susan\(R\)](#)

Relating to the provision of notice by the Department of Aging and Disability Services to neighborhoods in which certain group homes are located to protect the safety of the residents of those group homes.

Remarks:

Would have required group home and ICF providers to include a neighborhood and/or community engagement plan for each residence to promote positive relationships between community members and people using community based services.

Last Action:

5-21-15 S Referred to Senate Committee on Senate Health and Human Services

[SB 30](#)



[Zaffirini, Judith\(D\)](#)

Relating to financial eligibility for the Texas home living (TxHmL) waiver program.

Remarks:

Would have expanded eligibility for the TxHmL Waiver program from 100% SSI to 300% SSI. Substitute expected to include deeming parental income.

Last Action:

1-26-15 S Introduced and referred to committee on Senate Health and Human Services

[SB 1475](#)



[Garcia, Sylvia\(D\)](#)

Relating to establishing an enhanced Medicaid managed care consumer support system.

Remarks:

Would have required an ombudsman system for all persons receiving services under any managed care product in order to reduce the need for internal appeals at the managed care organization and fair hearing levels.

Last Action:

4-15-15 S Committee action pending Senate Health and Human Services

[SB 1887](#)



[Zaffirini, Judith\(D\)](#)

Relating to the period for which a defendant with an intellectual disability who is found incompetent to stand trial may be civilly committed before the court holds a hearing.

Remarks:

Would have required annual recommitment hearings for persons under forensic commitment to a SSLC.

Last Action:

3-25-15 S Introduced and referred to committee on Senate Criminal Justice

[SB 1890](#)



[Zaffirini, Judith\(D\)](#)

Relating to the electronic monitoring of residents at state supported living centers.

Remarks:

Would have allowed a resident of an SSLC to object and opt out of video monitoring in the residents private quarters.

Last Action:

3-25-15 S Introduced and referred to committee on Senate Health and Human Services

MENTAL HEALTH – PASSED

[HB 197](#)



[Price, Four\(R\)](#)

[Nelson, Jane\(R\)](#)

Relating to requiring a public institution of higher education to post information regarding mental health resources on the institution's Internet website.

Remarks:

Requires each public college website to show mental health resources including the address of the nearest Local Mental Health Authority.

Last Action:

9- 1-15 G Earliest effective date

[HB 2186](#)



[Cook, Byron\(R\)](#)

[Campbell, Donna\(R\)](#)

Relating to suicide prevention training for certain educators and other employees of a school district.

Remarks:

Requires educators outside of special education programs to be trained in suicide prevention annually, rather than only once.

Last Action:

6-19-15 G Earliest effective date

[HB 2216](#)



[Coleman, Garnet\(D\)](#)
[Kolkhorst, Lois \(F\)\(R\)](#)

Relating to information required of an applicant for a driver's license.

Remarks: Prohibits asking about a diagnosis of mental illness or psychiatric disorder on driver's license application.

Last Action: 9- 1-15 G Earliest effective date

[SB 125](#)



[West, Royce\(D\)](#)
[Naishtat, Elliott\(D\)](#)

Relating to certain assessments for children in the conservatorship of the Department of Family and Protective Services.

Remarks: Requires developmental psycho-social & trauma assessment of child who enters conservatorship.

Last Action: 9- 1-15 G Earliest effective date

[SB 133](#)



[Schwertner, Charles\(R\)](#)
[Coleman, Garnet\(D\)](#)

Relating to mental health first aid training for school district employees and school resource officers.

Remarks: Expands the list of school employees who can receive free training in mental health first aid training from local mental health authorities. Requires DSHS to annually report the numbers of educators, other school district employees, and others who received training.

Last Action: 6-17-15 G Earliest effective date

[SB 202](#)



[Nelson, Jane\(R\)](#)
[Price, Four\(R\)](#)

Relating to the Department of State Health Services, the provision of health services in this state, and the regulation of certain health-related occupations and activities.

Remarks: Requires development of training for judges and attorneys on alternatives to inpatient commitment to a state hospital for court ordered services.

Last Action: 9- 1-15 G Earliest effective date

[SB 239](#)



[Schwertner, Charles\(R\)](#)
[Zerwas, John\(R\)](#)

Relating to student loan repayment assistance for certain mental health professionals.

Remarks: Establishes a loan repayment assistance for physician, advanced practice nurse, and clinical social work students who complete up to five years practice with the Texas Department of State Health Services.

Last Action: 9- 1-15 G Earliest effective date

[SB 1129](#)



[Zaffirini, Judith\(D\)](#)
[Raymond, Richard\(D\)](#)

Relating to the transportation of a person with a mental illness.

Remarks: Limits restraint during transport, detention, and apprehension to only methods that allow a person to sit upright, unless in an ambulance.

Last Action: 6-17-15 G Earliest effective date

MENTAL HEALTH – DID NOT PASS

[HB 838](#)



[Naishtat, Elliott\(D\)](#)

Relating to the definition of serious mental illness for purposes of certain group health benefit plans.

Remarks: Would have added post traumatic stress to Insurance Code's definition of serious mental illness.

Last Action: 5-20-15 S Referred to Senate Committee on Senate Business and Commerce

[HB 1393](#)



[Turner, Sylvester\(D\)](#)

Relating to the establishment of a home and community-based services program under the Medicaid program for certain persons with severe and persistent mental illness.

Remarks: Would have established an HCBS Medicaid waiver for people with severe and persistent mental illness.

Last Action: 5- 5-15 H Sent to the Calendars Committee

[HB 1873](#)



[Naishtat, Elliott\(D\)](#)

Relating to a pilot project to evaluate the use of self-directed mental health services in the integrated Medicaid managed care system.

Remarks: Would have established a four year pilot for voluntary self-directed mental health services in integrated Medicaid managed care for those receiving rehabilitative services from a local mental health authority. The pilot would include a life coach providing supports similar to supported decision-making.

Last Action: 4-13-15 H Committee action pending House Human Services

[SB 359](#)



[West, Royce\(D\)](#)

[Workman, Paul\(R\)](#)

Relating to the authority of a peace officer to apprehend a person for emergency detention and the authority of certain facilities to temporarily detain a person with mental illness.

Remarks: Would have allowed freestanding emergency room to detain a person who asked for help for mental illness; allowed police to take them into custody without a judge's order. Governor vetoed, stating it could "lay the groundwork for further erosion of constitutional liberties."

Last Action: 6- 1-15 G Vetoed by the Governor

EMPLOYMENT AND HIGHER EDUCATION– PASSED

[HB 1807](#)



[Naishtat, Elliott\(D\)](#)

[Zaffirini, Judith\(D\)](#)

Relating to requiring the Texas Higher Education Coordinating Board to maintain an inventory of postsecondary educational programs and services for persons with intellectual and developmental disabilities.

Remarks: Will require Texas Higher Education Coordinating Board to keep, distribute, and update biennially an inventory of postsecondary educational programs and services provided by public colleges and universities to people with IDD. List will be shared on board's website and with TEA.

Last Action: 6-17-15 G Earliest effective date

[HB 3685](#)



[Anderson, Doc\(R\)](#)

[Lucio, Eddie\(D\)](#)

Relating to the employment status of certain individuals engaged in rehabilitative work-training programs.

Remarks: Will require employers of people with disabilities to create WIOA transition plan with timeframes to move from training into competitive employment - including eligibility for unemployment benefits. Excludes employment in state-run programs operated by state hospitals, state supported living centers, and community centers.

Last Action: 1- 1-16 G Earliest effective date

[SB 37](#)



[Zaffirini, Judith\(D\)](#)

[Naishtat, Elliott\(D\)](#)

Relating to a study of the participation of individuals with intellectual or developmental disabilities in public higher education.

Remarks: Will require TEA to maintain data on participation of people with IDD in public higher education, with emphasis on collection of data on recruitment efforts. Will require TEA and Comptroller to have MOU outlining how offices will work together.

Last Action: 9- 1-15 G Earliest effective date

[SB 212](#)



[Birdwell, Brian\(R\)](#)
[Burkett, Cindy\(R\)](#)

Relating to the abolishment of the Texas Council on Purchasing from People with Disabilities and the transfer of its functions to the comptroller of public accounts.

Remarks: Will abolish TCPPD and move functions to the Texas Workforce Commission (originally would have moved it to Comptroller). Will expand the advisory council to include people with disabilities who are employed by contractors under the State Use Program.

Last Action: 9- 1-15 G Earliest effective date

[SB 1664](#)



[Perry, Charles \(F\)\(R\)](#)
[Burkett, Cindy\(R\)](#)

Relating to the establishment of the Texas Achieving a Better Life Experience (ABLE) Program.

Remarks: Establishes Texas ABLE Act accounts for persons who acquired their disability before age 26. The program can only be terminated by the legislature.

Last Action: 6-19-15 G Earliest effective date

EMPLOYMENT AND HIGHER EDUCATION– DID NOT PASS

[HB 3226](#)



[Coleman, Garnet\(D\)](#)

Relating to addressing abusive conduct in the workplace.

Remarks: Would have established workplace bullying policies.

Last Action: 3-24-15 H Introduced and referred to committee on House Business and Industry

[SB 36](#)



[Zaffirini, Judith\(D\)](#)

Relating to requiring the Texas Higher Education Coordinating Board to maintain an inventory of postsecondary educational programs and services for persons with intellectual and developmental disabilities.

Remarks: Would require Texas Higher Education Coordinating Board to keep, distribute, and update biennially an inventory of postsecondary educational programs and services provided by public colleges and universities to people with IDD. List would be shared on board's website and with TEA.

Last Action: 1-26-15 S Introduced and referred to committee on Senate Higher Education

[SB 38](#)



[Zaffirini, Judith\(D\)](#)

Relating to creation of an employment-first task force advisory committee.

Remarks: Would create advisory committee of 11 or fewer members to make recommendations to the Employment First Task Force on increasing post-secondary education and access for individuals with IDD. Advocates have recommended that the Higher Education Coordinating Board would be the more appropriate location for this committee.

Last Action: 1-26-15 S Introduced and referred to committee on Senate Health and Human Services

[SB 1052](#)



[Zaffirini, Judith\(D\)](#)

Relating to the consideration of ownership interests of certain persons with disabilities in determining whether a business is a historically underutilized business for purposes of state contracting.

Remarks: Would provide HUB status for businesses owned by people with disabilities. EFTF recommendation.

Last Action: 3-16-15 S Introduced and referred to committee on Senate Business and Commerce

[SB 1559](#)



[Zaffirini, Judith\(D\)](#)

Relating to an interagency plan to promote competitive and integrated employment for persons with disabilities.

Remarks: Would require comptroller, TEA, TWC, HHSC and TCPD to create transition plan by 1/16 to move people with disabilities out of subminimum wage settings and into competitive integrated employment.

Last Action: 3-23-15 S Introduced and referred to committee on Senate Natural Resources and Economic Develop

EDUCATION – PASSED

[HB 440](#)



[Gonzales, Larry\(R\)](#)

[Watson, Kirk\(D\)](#)

Relating to adapting the public school physical education curriculum to accommodate the needs of students with mental disabilities.

Remarks: Will require accommodations in physical education classes for all student receiving special education services, including those with a mental illness, intellectual and developmental disabilities (IDD), and autism spectrum disorder.

Last Action: 5-23-15 G Earliest effective date

[HB 2684](#)



[Giddings, Helen\(D\)](#)

[Whitmire, John\(D\)](#)

Relating to the creation of a model training curriculum and to the required training for school district peace officers and school resource officers.

Remarks: Will require school district peace officers and school resource offices to be trained on positive behavioral interventions and supports and the behavioral needs of students with disabilities.

Last Action: 9- 1-15 G Earliest effective date

[SB 107](#)



[Whitmire, John\(D\)](#)

[Thompson, Senfronia\(D\)](#)

Relating to the removal, discipline, or transfer of a public school student.

Remarks: Will make the removal of student from campus to another location or to a disciplinary alternative education program discretionary, not mandatory, and requires consideration of whether the student has a disability that affects understanding of code of conduct violations.

Last Action: 6-20-15 G Earliest effective date

[SB 108](#)



[Whitmire, John\(D\)](#)

[Thompson, Senfronia\(D\)](#)

Relating to criminal procedures for certain misdemeanor offenses committed by children.

Remarks: Redefines "child" for criminal school offenses as between ages 10 and 18, not 10 and 17, for justice or municipal court. Prohibits a law enforcement officer or school resource officer from issuing a citation to a child who is alleged to have committed a school offense. A school employee may recommend teen court.

Last Action: 9- 1-15 G Earliest effective date

[SB 149](#)



[Seliger, Kel\(R\)](#)

[Huberty, Dan\(R\)](#)

Relating to the creation of individual graduation committees for certain high school students.

Remarks: Will allow graduation committees to assess whether a student who has not performed satisfactorily on end-of-course assessments can qualify for graduation based on other criteria. Does not affect the role of the ARD as final decision maker for students receiving special education services.

Last Action: 5-11-15 G Earliest effective date

[SB 507](#)



[Lucio, Eddie\(D\)](#)
[Thompson, Senfronia\(D\)](#)

Relating to the placement of video cameras in self-contained classrooms providing special education services.

Remarks: Will require a school district or open enrollment charter school to provide video camera for self-contained classrooms or other special education settings on request of a parent or a school trustee/staff. Parental notification is required, parental consent is not required, and language providing for removal of cameras in response to parental objections was not adopted. Provides that excess Foundation School funds may be used for grants to purchase equipment, with priority given to certain districts.

Last Action: 6-19-15 G Earliest effective date

[SB 674](#)



[Campbell, Donna\(R\)](#)
[Coleman, Garnet\(D\)](#)

Relating to instruction regarding mental health, substance abuse, and youth suicide in educator training programs.

Remarks: Will change educator academic requirements from detection of to instruction in mental health, substance abuse, suicide from a list of best practices, including de-escalation and positive behavioral interventions and supports.

Last Action: 6-19-15 G Earliest effective date

[SB 836](#)



[Watson, Kirk\(D\)](#)
[Rodriguez, Eddie\(D\)](#)

Relating to management services for the physical facilities of the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf.

Remarks: Will transfer responsibilities for physical maintenance of Texas School for the Blind and Texas School for the Deaf to the Texas Facilities Commission.

Last Action: 5-29-15 G Earliest effective date

[SB 1259](#)



[Rodriguez, Jose\(D\)](#)
[Allen, Alma\(D\)](#)

Relating to the committee developing a student's individualized education plan, the written report of the committee, and a regular education teacher's opportunity for input.

Remarks: Will require general education teacher on IEP to be one of the student's teachers and to provide input into IEP; will require the ARD report to document decisions and include dates, names, positions, and signatures of members, with parent, student if adult, and administrator's agreement or disagreement with decisions noted; members of committee disagreeing will be provided opportunity for statement to be included in report.

Last Action: 6-19-15 G Earliest effective date

[SB 1867](#)



[Zaffirini, Judith\(D\)](#)
[Aycok, Jimmie Don\(R\)](#)

Relating to excluding certain adult students receiving special education services from computation of dropout and completion rates for purposes of public school accountability.

Remarks: Will exclude enrolled students receiving special education services from computation of dropout and completion rates if they are 18 or older and have satisfied credit requirements for graduation and have not completed their IEP.

Last Action: 6-19-15 G Earliest effective date

EDUCATION – DID NOT PASS

[SB 1584](#)



[Lucio, Eddie\(D\)](#)

Relating to positive behavioral interventions and supports for students enrolled in public school who receive special education services.

Remarks: Would promote PBIS and give conditions under which restraint may be used as an emergency intervention, prohibiting use in a behavioral intervention plan; with documentation, parental and district notification requirements and ARD referral for consideration. Would add PBIS and bullying to training options; would require PBIS

training of some general education teachers who work with students with disabilities. School administrators had concerns with training requirements for using restraint and with staffing functional behavior analyses.

Last Action: 5-14-15 H Referred to House Committee on House Public Education

[SB 1871](#)



[Lucio, Eddie\(D\)](#)

Relating to the establishment of the Texas Board of Behavior Analyst Examiners and the requirement to obtain a license to practice as a behavior analyst or assistant behavior analyst.

Remarks: Would establish a Texas Board of Behavior Analyst Examiners licensure and scope of practice. Would not add requirements in addition to the national certification requirements. Necessary for BCBAs to bill Medicaid for services provided by staff they supervise. Concerns were that the requirements for supervised practice hours and other qualification factors were not on par with similar professions like licensed professional counselors and licensed social workers.

Last Action: 3-25-15 S Introduced and referred to committee on Senate Health and Human Services

GUARDIANSHIP – PASSED

[HB 39](#)



[Smithee, John\(R\)](#)
[Zaffirini, Judith\(D\)](#)

Relating to guardianship s for incapacitated persons.

Remarks: Lists alternatives to guardianship behind purpose statement in code and directs court to determine if alternatives will prevent need for guardianship; adds services and supports to statute and requires the court to determine if supports are in place or available that enable individuals to meet their needs and make decisions so that guardianship may be averted or limited; requires additional information from the physician about the proposed incapacitated person; adds consideration of the proposed person's capacity to make decisions about residence; and adds one hour of training on alternatives to guardianship for the applicant's attorney. SB1881 regarding supported decision-making was amended to this bill.

Last Action: 9- 1-15 G Earliest effective date

[HB 1337](#)



[Naishtat, Elliott\(D\)](#)
[Zaffirini, Judith\(D\)](#)

Relating to requiring institutions and assisted living facilities to maintain guardianship orders of residents.

Remarks: Requires assisted living facilities and other institutions under Texas Health and Safety Code 242 to request and maintain a copy of guardianship orders.

Last Action: 9- 1-15 G Earliest effective date

[HB 1438](#)



[Thompson, Senfronia\(D\)](#)
[Zaffirini, Judith\(D\)](#)

Relating to guardianships and other matters related to incapacitated persons.

Remarks: Requires guardian bond to remain in effect during transfer; notice to person if their financial records are being investigated; intervention into a guardianship proceeding; adds great-grandparents/children to list of relatives to third degree; allows court to require deposit of a person's assets to a financial institution for safekeeping; and requires notice to family of change in guardian. Added three bills by amendment:

1. HB3914 requiring notice and opportunity to dissent in court-initiated guardianship process;
2. HB2733 allowing court to determine equitable costs for certain services; and
3. HB4058 allowing ad litem and investigators access to private financial records in court-initiated guardianship.

Last Action: 9- 1-15 G Earliest effective date

[HB 2665](#)



[Moody, Joe\(D\)](#)
[Zaffirini, Judith\(D\)](#)

Relating to access to and receipt of certain information regarding a ward by certain relatives of the ward.

Remarks: Allows a relative to ask the court for visitation and communication with a person. Requires court to decide within 60 days or 10 days if emergency. Prohibits the guardian from denying the access when court approved. Requires guardians to keep certain relatives informed of status of the person, such as hospitalization or change of residence.

Last Action: 6-19-15 G Earliest effective date

[HB 3092](#)



[Rose, Toni\(D\)](#)
[West, Royce\(D\)](#)

Relating to developing and maintaining risk assessment criteria for use by department personnel in determining whether an elderly or disabled person is in imminent risk of abuse.

Remarks: Establishes a pilot to evaluate benefit of protective services to elderly and people with disabilities determined to be at risk of future harm from abuse, neglect or exploitation. There is potential for infringement of self-determination and determination of the need for guardianship.

Last Action: 9- 1-15 G Earliest effective date

[HB 3424](#)



[Smithee, John\(R\)](#)
[Zaffirini, Judith\(D\)](#)

Relating to a central database containing information about certain individuals under guardianship.

Remarks: Requires a study by Office of Court Administration on establishing a central database containing names of individuals under guardianship, their guardian, and contact information with best practices for privacy.

Last Action: 9- 1-15 G Earliest effective date

[SB 512](#)



[Zaffirini, Judith\(D\)](#)
[Thompson, Senfronia\(D\)](#)

Relating to the promulgation of certain forms for use in probate matters.

Remarks: Requires the Texas Supreme Court to create forms (including instructions) in plain English and Spanish for simple wills and small estates. Requires only probate courts to inform general public that these forms are appropriate and available at no charge.

Last Action: 9- 1-15 G Earliest effective date

[SB 1369](#)



[Zaffirini, Judith\(D\)](#)
[Smithee, John\(R\)](#)

Relating to reports on attorney ad litem appointments made by courts in this state.

Remarks: Adds the term "competency evaluator" for a licensed or certified physician or psychologist who determines if a person is incapacitated for purposes of guardianship. Requires courts to report court appointments related to guardianship (ad litem, guardian, competency evaluator or mediator) to the Office of Court Administration.

Last Action: 9- 1-15 G Earliest effective date

[SB 1876](#)



[Zaffirini, Judith\(D\)](#)
[Smithee, John\(R\)](#)

Relating to the appointment of attorneys ad litem, guardians ad litem, and mediators.

Remarks: Requires every Texas court with population greater than 25,000 to establish, maintain and post a list of attorneys qualified to serve as attorney or guardian ad litem or mediator and requires rotation in appointment. If agreed by parties someone not on the list may be engaged.

Last Action: 9- 1-15 G Earliest effective date

[SB 1881](#)



[Zaffirini, Judith\(D\)](#)
[Pena, Gilbert \(F\)\(R\)](#)

Relating to authorizing supported decision-making agreements for certain adults with disabilities.

Remarks: Establishes supported decision-making as an informal alternative to guardianship. Texas is the first state to pass such legislation.

Last Action: 6-19-15 G Earliest effective date

[SB 1882](#)



[Zaffirini, Judith\(D\)](#)
[Thompson, Senfronia\(D\)](#)

Relating to a bill of rights for wards under guardianship.

Remarks: Establishes a bill of rights for individuals under guardianship with 24 rights, such as the right to live, work and play in the most integrated setting, visit with people of their choice, appear before the court to express their preferences or concerns and to petition the court for termination or modification or a different guardian.

Last Action: 6-19-15 G Earliest effective date

GUARDIANSHIP – DID NOT PASS

[HB 2998](#)



[Rodriguez, Justin\(D\)](#)

Relating to adoption of the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.

Remarks: Would have added Texas to 42 states with UAGPPJA for uniform rules for guardianship jurisdiction and due process.

Last Action: 5-14-15 H Set on the House Calendar

[HB 3930](#)



[Hughes, Bryan\(R\)](#)

Relating to the provision of care and treatment to certain incapacitated persons.

Remarks: Would have added protections for individuals committed to institutional settings by requiring the guardian to personally visit an institution before admission, make monthly visits, and provide timely response to communications from physicians, family members, attorneys, etc.

Last Action: 3-23-15 H Introduced and referred to committee on House Judiciary and Civil Jurisprudence

MISCELLANEOUS – PASSED

[HB 1317](#)



[Bohac, Dwayne\(R\)](#)
[Seliger, Kel\(R\)](#)

Relating to the designation of van-only parking spaces for use by persons with disabilities.

Remarks: Requires the Governor's Committee on People with Disabilities with disability groups from rural and urban areas to review laws and standards of Texas and other states that apply to parking for persons with disabilities.

Last Action: 9- 1-15 G Earliest effective date

[SB 1664](#)



[Perry, Charles \(F\)\(R\)](#)
[Burkett, Cindy\(R\)](#)

Relating to the establishment of the Texas Achieving a Better Life Experience (ABLE) Program.

Remarks: Establishes Texas ABLE Act accounts for persons who acquired their disability before age 26. The program can only be terminated by the legislature.

Last Action: 6-19-15 G Earliest effective date

MISCELLANEOUS – DID NOT PASS

[HB 659](#)



[Raymond, Richard\(D\)](#)

Relating to the waiver of state park, museum, and other state-operated facility entrance fees for persons with certain disabilities.

Remarks: Would have allowed people with intellectual or developmental disabilities and their paid attendant to have free admission to state parks, museums or other state operated facilities.

Last Action: 5-15-15 S Referred to Senate Committee on Senate Agriculture, Water, and Rural Affairs

[HB 1328](#)



[Turner, Chris\(D\)](#)

Relating to a credit against the ad valorem taxes imposed on certain real property used to provide housing to certain persons with disabilities.

Remarks: Would have provided a tax credit for unregulated group homes and ICF-ID facilities. Conflicted with Olmstead.

Last Action: 5-11-15 H Sent to the Calendars Committee

[SB 1745](#)



[Hinojosa, Chuy\(D\)](#)

Relating to the liability of the state for a violation of the federal Americans with Disabilities Act.

Remarks: Would have replaced sovereign immunity with limited liability re ADA violations.

Last Action: 3-24-15 S Introduced and referred to committee on Senate State Affairs



Sunset Update: Health & Human Services Agencies

The Sunset Advisory Commission made significant recommendations regarding the state's five largest health and human services (HHS) agencies. Some of these recommendations were included in bills that were considered by the 84th Texas Legislature. The summary below details how the Sunset recommendations were addressed during the legislative session.

Overview: HHS Consolidation

The Sunset Advisory Commission is required to periodically review each state agency to determine whether the agency's functions are necessary. If the agency's functions are necessary, the Sunset Commission determines how the agency (or the agency's functions) can be managed more efficiently. The Sunset Commission develops recommendations that are submitted to the legislature. The latest review conducted by the Sunset Commission involved the five largest HHS agencies in Texas:

- Department of Aging and Disability Services (DADS)
- Department of Assistive and Rehabilitative Services (DARS)
- Department of Family and Protective Services (DFPS)
- Department of State Health Services (DSHS)
- Health and Human Services Commission (HHSC)

In February 2015, the Sunset Commission submitted a report to the Texas Legislature that summarized its recommendations. The most significant change recommended was the consolidation of the five HHS agencies into one commission under HHSC.

However, in March 2015, Governor Greg Abbott's HHSC Strike Force changed the course of the Sunset legislation. Following the HHSC 21CT controversy, which brought to light faulty contracting procedures for fraud detection services, the Strike Force was deployed. The Strike Force – a special team assembled to examine the inner workings of HHSC – published a report that detailed serious concerns about HHSC and addressed the following key areas:

- the 21CT controversy
- the Office of the Inspector General's use of fraud detection technologies
- contracting procedures in general
- organization and management
- consolidation of the HHS agencies
- vision and leadership

The problems identified prompted changes to the consolidation timeline. DADS, DARS, parts of DFPS (excluding adult and child protective services), DSHS (excluding public health and data collection), and HHSC would be combined not later than September 1, 2017. Remaining functions at DFPS and DSHS would be assessed for consolidation with HHSC in September 2018.

Ford, Ashley 6/17/2015 11:31 AM

Deleted: members of the Sunset Commission to reconsider the consolidation of all five agencies at the same time. Instead, the co-chairs of the Sunset Commission decided that

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DADS: SSLCs & Day Habilitation Programs

The Sunset Commission's report to the Legislature noted the 13 State Supported Living Centers' (SSLCs) declining enrollment, increasing costs, and questionable quality. The DADS Sunset bill, SB 204, contained the most significant Sunset Commission SSLC recommendations.

SB 204 would have required the Austin SSLC to close in 2017 and would have required the creation of an SSLC Restructuring Commission to determine the future of SSLCs in Texas. The bill passed the Senate, but then the House voted to remove these two provisions from the bill.

SB 204 failed to pass. The fate of its other less controversial provisions, including improvements to the Quality Reporting System, and to the quality and safety of services in day habilitation facilities, have yet to be determined.

DARS: Transfer to HHSC & TWC

Sunset staff recommended DARS responsibilities be reorganized to eliminate the duplication of services and other inefficiencies. The DARS Sunset bill ([HB 2463](#)) and the Texas Workforce Commission (TWC) Sunset bill (SB 208) provide the basis for a two-year transition plan of the reorganization of DARS responsibilities.

The DARS Sunset bill also governs functions that are being transferred to HHSC by September 1, 2016, including the Blind Children's Vocational Discovery and Development Program, Disability Determination Services, the Independent Living (IL) Program for individuals who are blind or have visual impairments, and the IL Program for individuals with significant disabilities. The TWC Sunset bill transfers the following programs from DARS to TWC, effective September 1, 2016:

- Vocational Rehabilitation Program for people who are visually impaired as well as people with other disabilities
- Criss Cole Rehabilitation Center
- Business Enterprises of Texas
- IL Services to Older Individuals who are Blind
- Rehabilitation Council of Texas

Note: the ILGeneral and the ILBlind Programs will transfer to HHSC and the program known as the "Older Blind Program" will transfer to TWC. Within a year following the transfer of functions from DARS to TWC, TWC is required to meet the deadlines listed below:

- October 1, 2017: combine the separate vocational rehabilitation programs for individuals with visual impairments and individuals with other disabilities.
- August 31, 2018: integrate DARS vocational rehabilitation staff into TWC's local workforce development boards and centers.

What's Next

A Transition Legislative Oversight Committee will be appointed by October 1, 2015 [for the health and human services consolidation](#). The HHSC executive commissioner will submit a transition plan to the oversight committee by March 2016.

Published date: June 10, 2015

Ford, Ashley 6/17/2015 11:33 AM

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Update: Autism Services in Texas

Statewide planning for services and supports for children diagnosed with autism spectrum disorder (ASD) is challenging because understanding of the disorder is evolving, individual needs can vary widely, and the availability of the patchwork of services does not currently meet the known demand.

Due to recent action taken by the 84th Texas Legislature and guidance from the Centers for Medicare and Medicaid Services (CMS), more people in Texas may have access to the full array of services and supports necessary to meet their individual needs.

State-Funded Autism Services

Services for children with ASD received significant attention during the 84th Texas Legislature. The appropriations allocated during the legislative session for autism services are detailed below.

- \$14.4 million was allocated to the Texas Department of Assistive and Rehabilitative Services (DARS) to:
 - phase out Comprehensive applied behavior analysis (ABA) for children enrolled by August 15, 2015;
 - expand access to Focused ABA; and
 - provide services to 1,970 children (295 children received services in 2014).
- \$8.1 million was allocated to the Higher Education Coordinating Board to purchase trainings for shareholders to reach more children with ASD through the indirect service provision. The funds will be used for:
 - parent-directed treatment training (\$4.5 million);
 - board-certified behavior analyst (BCBA) training for teachers and paraprofessionals (\$1.9 million);
 - research, development, and evaluation of innovative treatment models (\$1.4 million); and
 - administrative support (\$300,000).

During the 84th Texas Legislature, a bill to license BCBAs in Texas failed to pass. Although BCBAs have national certification, state licensure is necessary in order to bill Medicaid for work done by people they supervise. People in favor of licensure state that it will increase the number of BCBAs in Texas (currently about 900) and also that it will prevent unqualified persons from representing themselves as experts in behavior analysis. Opponents of the bill were concerned that qualification for licensure did not require the same level of training and experience as similar professions. Legislation to license BCBAs will likely be reintroduced during the 85th Texas Legislative Session that convenes January 10, 2017.

Medicaid-Funded Autism Services

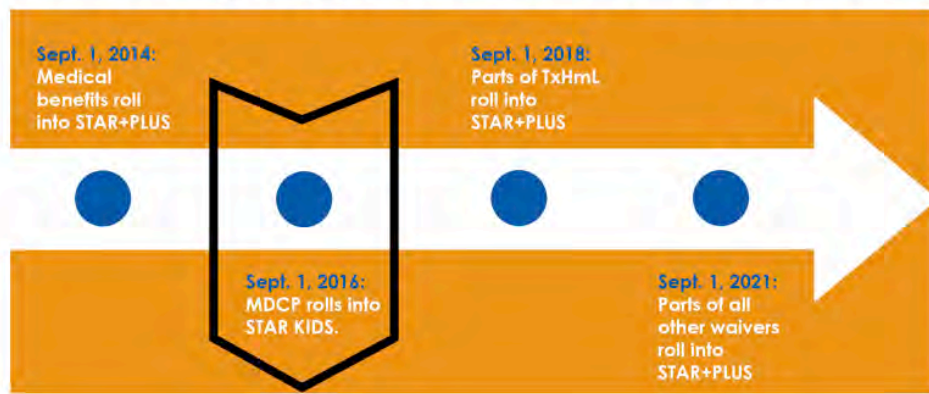
In July 2014, CMS issued a letter titled Clarification of Medicaid Coverage of Services to Children with Autism. The letter instructed states to make all covered services available in order to meet each child's individual needs. States were instructed to cover the services listed below.

- Services under the Social Security Act, including:
 - services of other licensed practitioners
 - preventive services
 - therapy services
 - services funded under the Early and Periodic Screening, Diagnostic and Treatment (EPSDT) program
 - physician services
 - private duty nursing
 - personal care services
 - home health
 - medical equipment and supplies
 - rehabilitative services
- Vision, hearing, and dental services
- Speech, occupational, and physical therapies

The CMS letter led Texas Medicaid officials to begin working on making services – like those available to children enrolled in EPSDT – available to adults on a statewide basis as part of the Medicaid State Plan. Once the updated Medicaid State Plan is implemented, Texas will be closer to providing the full array of services and supports necessary to meet the individual needs of every child and adult diagnosed with ASD.

Published date: July 15, 2015

Changing Medicaid Benefits



Update: Transition to Managed Care

If they haven't yet, many Texans with disabilities will transition from traditional Medicaid to managed care and how they receive their health care could change. People with intellectual and developmental disabilities (I/DD) over 21-years-old already began to receive acute care (medical) services through the STAR+PLUS managed care program on September 1, 2014.

The information below includes the dates and details of future changes that could affect people with disabilities in Texas, including children and young adults. (Note: some dates have changed recently due to HB 3523, 84th Texas Legislature, 2015).

- **September 1, 2016** – Children and young adults, up to 21 years, receiving Social Security Income and children and young adults participating in waivers [Medically Dependent Children Program (MDCP), Youth Empowerment Services (YES), Home and Community-based Services (HCS), Community Living Assistance and Support Services (CLASS) and Deaf Blind Multiple Disability (DBMD)] are expected to begin to receive their medical benefits from the STAR KIDS managed care program.
 - Children and young adults, up to 21 years, using the Medically Dependent Children Program (MDCP) will also begin to receive long term services and supports from STAR KIDS.
 - Children and young adults, up to 21 years, using IDD waivers (HCS, CLASS, DBMD) may continue to receive long term services and supports from their waiver, but their medical benefits are expected to be provided by STAR KIDS.
- **UPDATE: September 1, 2018** (previous date was September 1, 2017) – Parts of the Texas Home Living (TxHmL) waiver are expected to become entitlement services in the STAR+PLUS program. Persons with IDD with incomes up to 100% of SSI are expected to have access to some long term services and supports without a wait. The full list of services included as entitlements are currently unknown.
- **UPDATE: September 1, 2021** (previous date was September 1, 2020) – Parts of the HCS, CLASS and DBMD waiver programs are expected to roll into the STAR+PLUS managed care program.

FY 2017-2021 State Plan Goal Areas	Tab 11
<p><u>Background:</u></p> <p>In May of 2015, the Committee of the Whole reviewed the progress made in achieving the goals and objectives in TCDD's FY 201 – F 201 State Plan and approved suggested edits to the plan. The Committee also reviewed the proposed schedule for developing the FY 2017 – F 202 State Plan.</p> <p>Per the schedule, in August the Committee of the Whole will review a list of Strengths, Weaknesses, Opportunities, and Threats (SWOT) related to TCDD as an organization and also staff recommendations for “goal areas” to be considered for development into goals at the November meeting. The SWOT analysis and a list of these goal areas with summaries of the types of objectives and activities they might include are provided behind this tab. Please note, the plan will be required to:</p> <ul style="list-style-type: none"> • Be data-driven strategic plan that incorporates public input • Include measurable goals for advocacy, capacity building, systems change <ul style="list-style-type: none"> ○ Goals must be Specific, Measurable, Attainable, Realistic, and Timely (S.M.A.R.T.) • Include activities that are collaborative in nature, particularly activities conducted in collaboration with our DD Network Partners • Include specific self-advocacy goals • Address the diversity of the state and the needs of groups that are unserved or underserved • Focus on only a few goals <p>In the Committee of the Whole, Planning Coordinator Joanna Cordry will present the information on these documents for Council discussion and guidance. Joanna will also provide information about additional requirements that may be given by the Administration of Intellectual and Developmental Disabilities at the Technical Assistance Institute occurring on July 23, 2015.</p> <p>If you have any questions about this report, please contact Joanna Cordry, Planning Coordinator, at (512) 437-5411 or Joanna.Cordry@tcdd.texas.gov.</p>	
<p><u>Committee of the Whole</u></p> <p><u>Agenda Item 6.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will receive a brief report from staff regarding progress on the State Plan and may make recommendations for amendment to the Council.</p>

Suggested Goal Areas for the FY 2017 – FY 2021 State Plan

Below are general statements that TCDD staff recommend the Council consider as the basis for developing goals for the TCDD State Plan. The Administration on Intellectual and Developmental Disabilities (AIDD), the federal entity that provides funding and oversight to TCDD, strongly suggests that Councils develop no more than 3-4 goals so that we may create a measurable, meaningful impact. Once the Council approves goal areas on which to focus, the next step will be to develop specific goals that are measurable. Planning Coordinator Joanna Cordry will provide additional information about AIDD requirements that will be presented at the national conference and technical institute held July 21 – July 23, 2015.

In developing the following goal areas, staff considered:

- Successful activities and projects;
- Relevant policy issues and Council policy priorities;
- Comments, funding requests, and input heard over the last few years;
- The Council's mission;
- The Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act); and
- Goals, objectives, and activities that are required by our federal agency. This includes:
 - Specific self-advocacy activities (noted below as "required"); and
 - Specific objectives or activities to address disproportionality and disparities related to race, ethnicity, and linguistic differences. This could include all goals.

Following each suggested goal area is a paragraph describing the types of activities that TCDD could implement that would be related to the goal area. These are not meant to be inclusive or to be specific suggestions for activities. They have been provided only to give a more well-rounded idea of the types of things the goal might encompass.

1. People with developmental disabilities receive support to control their own lives and make their own decisions.

This gets at the heart of the Council's mission "To create change so that all people with disabilities are fully included in their communities and exercise control over their own lives."

The types of activities that might be considered for inclusion under a goal written to address this might address such things as promoting alternatives to guardianship; developing activities that are designed, planned, and implemented by self-advocates and/or families; increasing employment options that pay fair wage; working to create policy change that promotes self-determination; developing meaningful daytime activities for individuals with developmental disabilities; addressing cultural differences and disparities experienced by some groups of people.

2. The number of people admitted into institutions decreases each year.

This addresses the purpose of the DD Act, which is to develop and promote community-based services and supports so that people are not admitted into, or remain in, institutions against their will. Current data indicates that two of the major reasons people are admitted into institutions are because they lack community support for behavioral challenges or they do not meet complex health needs.

The types of activities that might be considered under this goal would be to develop a wide range of available supports for people who have behavioral challenges or mental health issues; building the capacity of community health services that meet the needs of individuals with intellectual or developmental disabilities; addressing housing issues; and providing training for individuals, families, and judges to understand the importance of community inclusion.

3. People with developmental disabilities, their families, and their allies effectively influence the development and implementation of policy.

This supports the strong focus on self-advocacy and advocacy that is held by TCDD and AIDD and also is a prominent part of the DD Act. The required self-advocacy activities would be part of this goal area.

The types of activities that would exist under this goal area would include: promoting support for at least one state self-advocacy organization led by individuals with developmental disabilities (required); creating opportunities for individuals with developmental disabilities to provide leadership and advocacy training to other individuals with developmental disabilities (required); supporting people with developmental disabilities to participate in cross-disability, cross-cultural workgroups, boards, and coalitions (required).

Other types of activities might include providing stipends for people with developmental disabilities and family members to attend disability-related conferences; providing training in leadership and advocacy skills; supporting grassroots organizing techniques; reaching out to and including siblings, allies, youth, and people with diverse cultural backgrounds in training.

4. TCDD implements and monitors the plan in a cost effective, responsive, and ethical manner that is responsive to emerging issues.

This objective encompasses public policy, planning and evaluation, grants management, communications, and Council support activities that might not be specifically included in the other goals. It allows TCDD to respond to emergent issues that may result in plan amendments and allows TCDD the option to report successes – especially public policy and communications successes – that may not have been anticipated in planned objectives. It also allows TCDD to easily provide good estimates of the funding spent on staff activities related to the state plan without having to complete time studies to determine how much time is spent on which issue.

Strengths, Weaknesses, Opportunities, Threats (SWOT)

Below are Strengths, Weaknesses, Opportunities, and Threats that apply to TCDD as an organization. Issues related to services, general state-of-state will be addressed after specific goal areas are determined.

Strengths of TCDD

- Relationships with the Developmental Disabilities network partners: Disability Rights Texas; The University of Texas Center for Disability Studies; the Texas A&M Center on Disability and Development
- Active representation of state agencies on the Council
- Access to information and resources available nationally
- Flexibility to choose and fund different strategies
- Ability to partner with a wide range of organizations
- Varied expertise among staff and Council members
- Established leadership and advocacy training efforts
- Existing relationships with state self-advocacy organization and self-advocates
- Strategic communications, including the agency's website, social media channels, and email marketing system

Weaknesses of TCDD ("We need to...")

- Improve ability to measure the impact of efforts
- Attend to or develop the next generation of leaders
- Improve connections to advocates trained through TCDD projects
- Improve understanding of the issues of the whole state, including rural areas, west Texas, and south Texas
- Continue to expand inclusion of non-traditional partners
- Outreach to and fully include people from diverse cultures in planning and activities in order to learn more about, and better address, disparities and disproportionality.
- Increase the number of people with intellectual and developmental disabilities who are at the forefront of TCDD initiatives
- Solicit more input from people with developmental disabilities about what they need to lead more self-determined lives
- Improve accessibility of documents and other materials
- Promote widespread understanding of the value of TCDD's work and the impact it has on the lives of people with disabilities and their families in Texas

Opportunities for TCDD

- Increase outreach via non-traditional partnerships
- Continue to facilitate change by partnering with providers and to influence the roll-out of managed care
- Get input from young adults with disabilities who have been included throughout their life and may have different perspectives
- Take steps to involve more siblings in TCDD activities
- Learn from and build on past successes

- Consider how the reorganization of health and human services agencies will impact Council membership and whether it might provide opportunities to expand partnerships with other agencies
- Make use of existing relationships with policy partners and self-advocates to sponsor regular seminars on public policy issue areas of mutual interest and make these available on the website
- Solicit and consider fresh ideas and perspectives from individuals just now coming into the field

Threats to TCDD

- Aging/retirement of leaders, long time advocates creates loss of institutional knowledge and expertise
- Uncertainty of funding
- Few people prepared to testify on behalf of TCDD and to advocate for TCDD's continued funding
- Competing interests or requests to be involved in a wide range of activities could dilute the impact that TCDD is able to make on priority issues
- Increasing planning and reporting requirements from the Administration on Intellectual and Developmental Disabilities that draw resources away from other activities
- The desire of some families for service models that are in conflict with the purpose of the DD Act

Project Development Committee Meeting Minutes	Tab 12
<p><u>Background:</u></p> <p>Minutes of the May 7, 2015, Project Development Committee meeting are included for your review.</p>	
<p><u>Project Development Committee</u></p> <p><u>Agenda Item 3.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will review, revise as appropriate, and approve.</p>

**TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES
PROJECT DEVELOPMENT COMMITTEE
THURSDAY, MAY 7, 2015
FINAL DRAFT MINUTES**

COMMITTEE MEMBERS PRESENT

Gladys Cortez, Chair	Manda Hall, DSHS	David Taylor
Kimberly Blackmon	Jennifer Kaut, DARS	Richard Tisch
Andrew Crim	Scott McAvoy	
Mary Durham, Council Chair	Cindy Swain, TEA	

COMMITTEE MEMBERS ABSENT

Mateo Delgado	Dana Perry
Diana Kern	John Thomas

STAFF PRESENT

Martha Cantu	Cynthia Ellison	Wendy Jones
Joanna Cordry	Susan Mihalik	Fernando Rodriguez

STAFF ABSENT

Sonya Hosey

GUESTS PRESENT

Annalee Chaumont	Ivy Goldstein, DSHS
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CALL TO ORDER

The Project Development Committee met on Thursday, May 7, 2015, at the Marriott Austin South at 4415 South IH35, Austin, Texas 78745. Committee Chair Gladys Cortez called the meeting to order at 2:51 p.m. A quorum was present.

1. INTRODUCTION OF COMMITTEE MEMBERS, STAFF AND VISITORS

Committee members, staff and guests were introduced.

2. PUBLIC COMMENTS

The Committee discussed a letter from the Texas Advocates to Council Chair Mary Durham encouraging TCDD to create additional grants focusing on people in the State-Supported Living Centers (SSLCs). Texas Advocates currently has a TCDD grant project, Project SAVE, that provides training to people living in SSLCs, and it is ending on May 31, 2015. The submitted letter describes the successful outcomes of that project and requests that TCDD creates an additional grant for more training in SSLCs, especially in Mexia and San Angelo SSLCs.

Planning Coordinator Joanna Cordry noted that providing leadership and advocacy training to individuals in SSLCs might be an appropriate objective for the next TCDD State Plan. She also reported that TCDD's response to the Texas Advocates letter included information about a Leadership Development and Advocacy Training Request for Proposals (RFP) that will be

posted in the Fall of 2015. The letter informed them that the project described in this letter would be consistent with the RFP.

The Committee discussed the importance of promoting self-advocacy and noted that projects like this could also provide training to individuals with developmental disabilities around alternatives to guardianship. Other members of the Committee agreed that training in alternatives to guardianship is important for self-advocates as well as judges and attorneys.

3. APPROVAL OF MINUTES

The Committee reviewed minutes of the February 6, 2015, Project Development Committee meeting.

MOTION: To approve the minutes of the February 6, 2015, Project Development Committee with one correction, the spelling of Lora Taylor's name.

MADE BY: Richard Tisch

SECOND: Scott McAvoy

The motion **passed** unanimously.

4. CHAIR'S REMARKS

Chair Cortez announced that Council member Andrew Crim has returned to the Project Development Committee following his service as the Council Vice-Chair.

Chair Cortez stressed to members the importance of attending meetings, noting that a quorum is required in order to be able to conduct business. Committee members discussed possible options for addressing excessive absences. The Committee agreed that the most appropriate option is to discuss the issue with all members of the Council to remind members of the importance of attending meetings.

5. MEMBER UPDATES

Durheim announced that:

- Diana Kern has resigned her appointment to the TCDD Council for health-related reasons. Kern's resignation was received at the TCDD office and forwarded to the Governor's office.
- John Thomas has been appointed to the Project Development Committee.
- Jennifer Kaut and Mateo Delgado have agreed to move from the Public Policy Committee to the Project Development Committee.

Committee member Manda Hall, DSHS, announced that she will be a speaker at the Parent to Parent conference. Committee member Cindy Swain, TEA, will be giving a presentation on mental health.

6. STAFF REPORTS

A. Status of New/Approved Projects

No new grants were awarded. An Outreach and Development project awarded to Special Kids, Inc. started in this quarter.

The following continuation awards were approved:

- A. Educational Programs Inspiring Communities, Inc.
- B. Strategic Education Solutions, LLC
- C. Imagine Enterprise, Inc.
- D. Coalition of Texans with Disabilities
- E. Epilepsy Foundation of Texas
- F. Region 17 Education Service Center

B. Projected Available Funds

Martha Cantu, Operations Director, reported that there are enough funds in FY 2015 to fund all eight planned projects. There were no questions for Cantu.

C. Other Updates

Cordry reported on her participation on the planning committee for the Center for Elimination of Disproportionality and Disparities Annual Cross Systems Summit, which will be held in August 2015.

7. FUTURE ACTIVITIES FOR STATE PLAN IMPLEMENTATION

A. Advanced Public Policy Advocacy

Cordry noted that an Executive Summary for an Advanced Public Policy Advocacy project has not been prepared due to staff time constraints and the desire to gather input from Colleen Wieck, the Executive Director of the Minnesota DD Council and the creator of Partners in Policymaking. Cordry reported that she and Roger Webb, TCDD Executive Director, recently spoke with Wieck about ways to reduce the program costs below \$385,000 per class. Cordry briefly reviewed some of the ideas and recommendations from Wieck, including reducing the length of the program, changing the location, having fewer or shortened sessions, having fewer presenters or using a greater percentage of local presenters over presenters from other states, using multimedia technology, and seeking out a wider array of funding sources. Alternate or additional topics, recruitment, and selection were also discussed.

An Executive Summary will be prepared for the August 2015 Council meeting.

B. Other Ideas

No other ideas were presented.

8. FUTURE PROJECT FUNDING PRIORITIES

No action taken on Future Project Funding Priorities list. The Committee agreed to make no changes.

9. OTHER DISCUSSION ITEMS

Council Chair Durham reiterated the importance of attendance at Council and Committee meetings. She also informed the Committee that there are seven Council members whose

terms are expiring and three of these cannot be reappointed. Council members whose terms are expiring and who are eligible for re-appointment need to submit applications to the governor's office as soon as possible if they wish to continue to serve on the Council.

ADJOURN

There being no further business, Chair Cortez adjourned the meeting at 4:03 p.m.

Roger A. Webb, Secretary to the Council

Date

Partners in Policymaking Executive Summary		Tab 13
<p><u>Background:</u></p> <p>Behind this tab is an Executive Summary a Partners and Policymaking project. Prior to developing this summary, staff received substantive input from by Colleen Wieck, Ph.D., the Executive Director of the Minnesota Governor’s Council on Developmental Disabilities and the creator of Partners in Policymaking. Among other suggestions, Dr. Wieck provided input o ways TCDD might reduce the funding amount slightly to address TCDD concerns regarding the expense of the project when previously implemented. Staff also discussed with Dr. Wieck ways that other Councils have used technology to create satellite programs in order to expand the number of people trained – or, in this instance, possibly increase the diversity of people trained so that it more closely approximates the racial and ethnic composition of the state.</p> <p>If you have any questions or thoughts related to this Executive Summary, please contact Joanna Cordry, Planning Coordinator, at (512) 437-5410 or Joanna.Cordry@tcdd.texas.gov.</p>		
<p><u>Project Development Committee</u></p> <p><u>Agenda Item 7.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will consider th Executive Summary an may recommen Council approval for funding.</p>	
<p><u>Council</u></p> <p><u>Agenda Item 6. A.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will conside recommendations fro the Committee.</p>	

Executive Summary

Partners in Policymaking

Project Goal

Facilitate Partners in Policymaking training for adults with intellectual and developmental disabilities and family members of individuals with intellectual and developmental disabilities.

Relationship to TCDD State Plan Goals

This project will help TCDD meet the following TCDD FY 2012 - 2016 State Plan Goal and Objective:

Goal 6: Work with others to double the number of identified leadership development and advocacy training programs that are able to provide culturally appropriate training for people with developmental disabilities without ongoing grant funding from TCDD, by 9/30/2016.

Objective 4: Each year of the plan, support individuals who have developmental disabilities, their family members, and their allies to improve their skills related to self-advocacy, public advocacy, and leadership.

Maximum Funding and Duration

One project, for up to five years, for the following funding amounts:

- Up to \$100,000 for the first year to prepare for the first class and develop an evaluation plan
- Up to \$225,000 for the second year to hold one class
- Up to \$250,000 for the third year to hold one class and an advanced training weekend
- Up to \$300,000 each year for the fourth and fifth years to hold at least two simultaneous classes one advanced training weekend each year

Background

Partners in Policymaking (PIP) is a nationally recognized leadership training program for people with developmental disabilities and family members that was created by Colleen Wieck, Ph.D., the Executive Director of the Minnesota Governor's Council on Developmental Disabilities. Partners in Policymaking promotes citizen involvement and leadership by providing participatory training in best practices, current issues, and trends in service provision; and by developing advocacy-related skills. Graduates often assume leadership roles in a variety of community and statewide organizations following their participation in the program. The Texas Developmental Disabilities Council funded PIP from 1990 to 2006. TCDD's program followed the original model closely. It was implemented over eight weekends, each of which involved at least one overnight stay; used national as well as in-state presenters; and ensured that training and activities were consistent with the Minnesota curriculum. The typical class size was slightly over 30 people. When the program ended in 2006, the annual funding amount was \$385,000 per year.

Funding covered training-related expenses, including presenter's fees; all participants' and presenters' travel, lodging, and meals; administrative costs; and an independent evaluation consisting of a six-

month follow-up survey of recent graduates and a long-term follow up of past graduates. A third of participants typically responded to the follow-up surveys. The evaluation results from 2004 revealed that the majority of respondents indicated that they became involved in advocacy leadership activities, such as participation on local and state boards and on advisory committees. Of those involved in these activities, 82% stated that the PIP training was “Very Important” in helping prepare them to advocate. Respondents also indicated that personal factors such as work and children, not lack of knowledge, skills or interest, limited their opportunities for advocacy leadership. While the response rate was consistent with the response rate one would expect from a survey, it was unfortunate that little or nothing was known about the activities of the two-thirds who did not respond to the surveys.

TCDD funds other successful leadership and advocacy training programs, some of which have curriculum based on the PIP model. The majority of these projects serve local or regional areas and do not require participants to stay overnight. These are able to offer training to a greater number of people across the state at a reduced per-person cost and several have provided training in Spanish. The most recent round of projects each trained approximately 100 people a year with TCDD funding of \$75,000 per year per project. The grantees evaluated participants’ satisfaction with their training, but no long term or global external evaluation was typically done, in part due to the low funding amount. Other related projects funded by TCDD include local and statewide Youth Leadership Projects and funding for TCDD public policy fellows who focus on developmental disabilities issues.

TCDD has funded leadership and advocacy training projects that have had various purposes:

- to help people advocate for themselves;
- to support people to become local leaders;
- to provide a potentially life-changing experience that helps people to understand disability as natural and to be committed to the inclusion of people with developmental disabilities in all aspects of community life; and/or
- to develop advocates who will address statewide policy issues in a highly visible manner, such as advocating at the Capitol or serving on statewide councils, committees, or workgroups.

Council members have identified all four outcomes as worthwhile. The Council’s current local leadership and advocacy projects definitely accomplish the first goal and may accomplish the first three; however, Partners in Policymaking produces the largest number of advocates who are committed to testifying and serving on statewide boards, committees, and workgroups.

Project Development Committee members have recently expressed interest in considering funding a PIP program, but at a smaller funding amount and in a way that would increase the percentage of graduates who participate in statewide advocacy. To gather information for the Committee, TCDD staff spoke with Colleen Wieck, Ph.D., about ways to reduce costs and maximize TCDD’s investment while remaining true to the model. She provided the following observations and recommendations:

- The purpose of PIP has always been to change public policy, and the screening process can focus on selecting individuals who are most likely to engage in the type of public policy advocacy TCDD desires. Individuals who don’t wish to or cannot be a presence at the Capitol can use the

Minnesota Council's [Telling Your Story](#)¹ app to share their stories with legislators and to provide TCDD with electronic library of stories.

- TCDD may make some changes to the curriculum to support Council priorities; for example, Person Centered Thinking, supported decision making, and disproportionality and disparities experienced by people with developmental disabilities who are of racial/ethnic minority backgrounds, and how culture impacts personal values and choices are all topics that could be included in training.
- Costs may be decreased by selecting lower-cost presenters; using one presenter for most of the weekend; incorporating distance learning, Skype, or other video conferencing approaches; holding regional classes; reducing the number of weekends; or eliminating overnight hotel stays for some or all participants. Dr. Wieck has offered to assist the selected grantee to identify other ways to reduce costs.
- The project could also take a blended learning approach, using the Minnesota Council's [blended learning guide](#)².
- Graduate workshops, held one weekend per year - provide graduates with an opportunity to re-connect, network with other advocates, get the latest information on best practices in disability services, and expand their networks of policymaker contacts – all of which could maximize TCDD's investment.
- Charging for participation in the program (and offering stipends or another method of making the program accessible to those who cannot pay the fee) might help defray costs.

Public Policy Issues

TCDD has a roadmap for change articulated in the TCDD Position Statements and Public Policy Priorities. The TCDD Partners in Policymaking program will educate participants in TCDD's positions and priorities. TCDD expects that the graduates of this program will fully collaborate with other advocates in organized public policy advocacy on TCDD public policy priorities. Because public policy work requires an ongoing effort to maintain communication with and educate policymakers, graduates will also be encouraged to engage in other organizational, local government or individual public policy advocacy. However, each must also embrace their responsibility to indeed be a partner in policy-making. Participants should be selected based in part on their willingness to work with legislators in their district offices and the capitol and to communicate the need for policy change to policy makers and the general public. TCDD also expects that all participants would be signed up to receive emails and news from TCDD.

Public Awareness, Products, and Communications

TCDD develops and shares information with individuals and organizations to inform them of opportunities and issues. TCDD also benefits from individuals and organizations providing input to TCDD. Graduates could potentially reach individuals and organizations that might not be aware of TCDD, which would enable more individuals to benefit from TCDD's efforts or to become more active in TCDD activities. Additionally, they will be able to provide TCDD with information that TCDD might share with

¹ Telling Your Story is available at <https://itunes.apple.com/us/app/telling-your-story/id541403749?mt=8>

² The blended learning guide is available at:

http://mn.gov/mnddc/pipm/pdf/PPM_Coordinator_Handbook_Online_Learning_v16.pdf

others. If new curriculum or materials are developed by this project, they also could be shared with other organizations.

Expected Outcome, Goal, and Outputs

Outcome

People with developmental disabilities and family members will engage in public policy advocacy that has a statewide impact.

Goal

At least 75% of individuals who respond to follow-up contact report they have been actively involved in public policy advocacy that impacts statewide policy.

Outputs

In the first year of this project:

- The grantee will complete plans and preparation needed to hold a class in the second year of the grant.
- The grantee will work with TCDD to complete the outreach, and selection processes will be completed.
- A plan will be developed to allow TCDD to evaluate the activities of graduates one, two, three, four, and five years after they graduate.

In the second year and third years of this project:

- A diverse group of twenty to thirty Texans who have developmental disabilities and family members of people who have developmental disabilities will complete the Partners in Policymaking program each year.
- A plan to meet the expectations for the fourth and fifth years will be developed.
- Beginning in the third year, one weekend of advanced training will be provided each year.

In the fourth and fifth years of this project:

- Two simultaneous classes will be held, using available technology to enable approximately 40-50 Texans who have developmental disabilities and family members of people who have developmental disabilities to complete the Partners in Policymaking program each year. At least one program will be held in an area of the state that has a high percentage of people who are racial/ethnic minorities.
- One weekend of advanced training will be provided each year.
- A final report will be provided to TCDD within 60 days of project completion.
- Recommendations will be provided to continue the program while reducing the cost to TCDD (this may include developing partnerships that will co-sponsor the program).

Project Description

One organization or several organizations working in collaboration will develop and implement a Texas Partners in Policymaking program that supports individuals with developmental disabilities and family

members to achieve [competencies expected of Partners in Policymaking graduates](#). These are listed in the Attachment A found at the end of this Executive Summary.

In addition, graduates will have a basic understanding of TCDD's positions and priorities; Person Centered Thinking; supported decision making and other alternatives to guardianship; disproportionality and disparities experienced by people with developmental disabilities who are of racial/ethnic minority backgrounds; and how some of the information presented may be perceived differently due to culture, including cultural differences that exist between some active adult advocates who have autism (such as members of the Autistic Self Advocacy Network, or ASAN) and others who are focused on finding cures for Autism.

The grantee is expected to develop the structure and model for their program using information from other Partners in Policymaking programs and the resources available through the Minnesota Governor's Council on Developmental Disabilities' Partners in Policymaking webpages.³ This website includes a blended learning guide that will allow the grantee to augment face-to-face training.

The grantee will be responsible for meeting the goals identified in this Executive Summary, including:

- Developing objective selection criteria to be used by a selection team that includes the program coordinator and other program staff, TCDD representatives, and other funding source representatives.
- Holding at least one Partners in Policymaking class each year beginning in the second year.
- Holding one advanced training weekend per year, beginning in the third year.
- Starting in year four, supporting at least one additional regional program per year in an area of the state that has a high percentage of people who are racial/ethnic minorities. The regional program(s) should have local facilitators and use technology such as skype or video conferencing to connect with each other.

The grantee will also be responsible for:

- Managing logistical issues (arrangement of hotels and meals if needed, organization of transportation if necessary, assistance with accommodations, development and timely dissemination of written information).
- Assisting Partners to develop solutions to barriers to attendance or to resolve conflicts or concerns.
- Adapting the program content and recruiting speakers.
- Ensuring inclusion and accommodations for individuals with developmental disabilities.
- Supporting networking activities.
- Evaluating each weekend and providing a report at the end of the grant project.
- Connecting graduates to TCDD; Disability Rights, TX; the University of Texas Center for Disability Studies; the Texas A&M Center on Disability and Development; and other organizations or agencies that are affiliated with disability advocacy, systems change, and legislative issues.
- Encouraging and assisting graduates to begin applying for leadership positions on governor-appointed councils or statewide workgroups and committees.

³ <http://mn.gov/mnddc/pipm/index.html>

Sustainability

TCDD set a goal for the FY 2012 – 2017 State Plan to “... double the number of identified leadership development and advocacy training programs that are able to provide culturally appropriate training for people with developmental disabilities without ongoing grant funding from TCDD...” and TCDD has tried numerous approaches to encouraging sustainability of leadership development and advocacy training projects. However, very few grant projects have been able to continue to provide this type of training at the same level after their grant is completed. This includes previous Partners in Policymaking projects. It appears unrealistic to expect the program to become sustainable without any funding from TCDD or other partners; thus the grantee will be encouraged to bring in additional partner organizations that can contribute funding or other resources. The grantee will also be expected to create a lasting impact by developing advocates who will remain active for many years following their graduation.

Project Evaluation

Data and evaluation collection activities will include the following and may include others:

- Demographic information
- Feedback from participants
- Indicators of program impact such as the
 - number of policy makers informed by graduates
 - number of materials created and disseminated to policymakers by graduates
 - number of graduates who join boards, committees, workgroups, or assume other positions of leadership
 - specific policies changed, and activities or projects undertaken by graduates

Other Considerations

1. The Administration on Intellectual and Developmental Disabilities has placed a high priority on achieving racial and ethnic diversity in the classes. One concern with selecting participants who will be available to travel to Austin for meetings and/or to testify at the Capitol after they have completed training is that it may limit the diversity of participants. Past PIP classes did include individuals of various races and ethnicities and provided simultaneous translation to people whose first language was not English, but the class makeup was not representative of the racial and ethnic diversity of a state that is now a majority minority state. However, classes did include individuals from various geographic regions of the state and individuals who had a range of income levels. It may be difficult to accomplish any of these if the selection process favors those with the resources and inclination to advocate at the Capitol or serve on statewide boards. This Executive Summary proposes that the PIP program use technology and facilitators to develop regional classes that prepare people to advocate with their legislators when they are in their home districts. Such classes, if also culturally appropriate, could increase the racial, ethnic, and economic diversity of the individuals who benefit from PIP training. Another option would be to develop additional culturally appropriate PIP projects, perhaps in other areas of the state and perhaps implemented in other languages.

2. Dr. Wieck has stated that she will gladly work with the organization to whom the grant is awarded to help them find ways to reduce costs, and that she will not offer support to one applicant over another. The Request for Proposals will state that her advice is available to everyone and that applicants should not request letters of support from her.

Appendix A – Competencies Expected of Partners in Policymaking Graduates

- Describe the history of services for, and perceptions of, people with developmental disabilities.
- Describe significant contributions of the parents' movement.
- Describe the history of the self-advocacy and independent living movements.
- Describe the benefits and values of a quality, inclusive education for students with and without disabilities.
- Outline specific strategies to achieve a quality, inclusive education.
- Demonstrate knowledge of the service coordination system and what services may be available.
- Describe the importance of futures-planning and self-direction for people with developmental disabilities.
- Understand the principles of choice and control of resources in futures-planning.
- Understand the reasons for and the importance of proper positioning techniques for people with physical disabilities.
- Describe examples of state-of-the-art technologies for people with significant disabilities.
- Describe the importance of supported, competitive employment opportunities.
- Understand that a flexible, responsive system of supports for the families of children with disabilities is the cornerstone for a true system of community supports for people with developmental disabilities.
- Understand the need for all individuals to experience changes in lifestyle across the lifespan.
- Know/understand the importance of home ownership/control as one of the defining characteristics of adult life in our culture.
- Understand the basic principles and strategies being used to support people with developmental disabilities in their own homes across the lifespan.
- Create a vision for the year 2020 (and beyond) for people with disabilities.
- Understand how a bill becomes a law at the state and federal levels.
- Identify critical federal issues and the process by which participants can personally address their concerns.
- Demonstrate successful techniques for advocating for services to meet the needs of unserved and underserved individuals.
- Draft and deliver testimony for legislative hearings.
- Learn how to meet a public official and discuss issues.
- Identify strategies for beginning and sustaining grassroots-level organizing.
- Understand the role of when and how to use the media to effectively promote issues.
- Demonstrate proper procedures for conducting a meeting.
- Gain a basic understanding of parliamentary procedure and serving on boards.

Future Project Funding Priorities		Tab 14
<p><u>Background:</u></p> <p>This chart includes all projects previously approved by the Council that have not yet been initiated. The Project Development Committee reviews the Priority List each quarter, adds new projects recommended for approval by the Council, and may recommend revisions to the priority order as the Committee determines is appropriate.</p>		
<p><u>Project Development Committee</u></p> <p><u>Agenda Item 8.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will review Future Project Funding Priorities and recommend revisions to the Council.</p>	
<p><u>Council</u></p> <p><u>Agenda Item 6. C.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will consider recommendations from the Project Development Committee.</p>	

TCDD Future Funding Activities Priority List

As of May 7, 2015

#	Organization/Activity	Possible Projects	Funding "Up To"	Council Approved	Expected RFP Post	Expected Start	Expected End
N/A	Outreach & Development Projects – 2.0 Projects for up to 18 months	5/yr	\$10,000/project	2/5/2013	TBD	FY 14-16	Variable
N/A	Developmental Disability Policy Fellows Program Award up to 2 two-year Fellowships in each of Year 1 and Year 2 up to 3 yrs.	1	Year 1 up to \$135k Year 2 up to \$270K Year 3 up to \$135K	8/9/2013	2/21/2014 6/26/2015	8/1/2014 1/6/2015	7/31/2016 12/31/2017
1	Targeted Online Training up to 2 yrs.	12 Webinars / podcasts	Up to \$15K	8/8/2014	N/A	9/1/2015	8/31/2017
2	Understanding Employment Options and Supports Conference up to 2 yrs.	1	\$150,000/yr.	10/25/2013	6/26/2015	1/1/2016	12/31/2017
3	Culturally Competent Family Support up to 4 yrs.	5	\$75,000/yr.	10/26/2012	4/10/2015	11/1/2015	10/31/2019
4	Stakeholder Training on Guardianship Alternatives Up to 3 yrs.	1	\$40,000 /yr	2/7/2015	TBD	TBD	9/30/2018
5	Texas Faith Inclusion Network for People with Disabilities Up to 2 yrs.	1	\$75,000/yr	2/7/2015	5/8/2015	10/1/2015	9/30/2017
6	Leadership Development and Advocacy Training up to 5 yrs.	4	\$75,000/yr.	8/8/2014	9/4/2015	4/1/2016	3/31/2021
7	Partnership with African American Clergy to Support Families up to 5 yrs.	1	\$75,000/yr.	5/3/2013	N/A	TBD	TBD
8	Accessible Transportation Project Year 1 -3 funding up to \$150k; Year 4 up to \$125k; and Year 5 up to \$100k up to 5 yrs.	1	\$150,000/yr.	10/25/2013	9/4/2015	4/1/2016	3/31/2021
9	Support for Student Research-Related Expenses on Disability-Related Topics up to 5 yrs.	TBD	\$25,000/yr.	11/7/2014	TBD	TBD	TBD
N/A	Support for Full Participation of Self-Advocates on Workgr up to 1 yrs.	1	\$50,000/yr.	8/9/2013	N/A	TBD	TBD

1. Up to \$10K for development of the template and guide; up to \$15K per year, for development of up to 12 products using the template.

6. Additional Funding may be made available to provide reasonable accommodations.

Legend

Open RFP or Proposals received are under review at time of printing.

Proposals have been approved, awarded or project is in process of beginning since last Council meeting.

Public Policy Committee Meeting Minutes	Tab 15
<p><u>Background:</u></p> <p>Minutes of the May 7, 2015, Public Policy Committee meeting are included for your review.</p>	
<p><u>Public Policy Committee</u></p> <p><u>Agenda Item 3.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will review, revise as appropriate, and approve.</p>

**PUBLIC POLICY COMMITTEE MEETING
DRAFT MINUTES
MAY 7, 2015**

COMMITTEE MEMBERS PRESENT

Lora Taylor, Chair	Mary Faithfull, DRT	Brandon Pharris
Hunter Adkins	Stephen Gersuk	Amy Sharp, TAMU-UCEDD
Kristine Clark	Penny Larkin, DADS	April Young, HHSC
Kristen Cox	Ruth Mason	
Elaine Eisenbaum, UT- CDS	Michael Peace	

STAFF PRESENT

Belinda Carlton	Jessica Ramos
Ashley Ford	Joshua Ryf
Linda Logan	Koren Vogel

GUESTS PRESENT

Shiloh Gonzalez, DARS
Darryl Powell

CALL TO ORDER

The Public Policy Committee convened on Thursday, May 7, 2015, in Limestone Room 2 at the Marriott Austin South, Austin, Texas 78745. Public Policy Committee Chair Lora Taylor called those present to order at 2:55 p.m.

1. INTRODUCTION

Chair Taylor asked the Committee members, staff, and guests to introduce themselves and to share which public policy or legislation would dramatically impact their life if it became law.

2. PUBLIC COMMENTS

No public comments were offered to the Committee.

3. CONSIDERATION OF FEBRUARY 6, 2015, MINUTES

The Committee reviewed the minutes from the February 6, 2015, Public Policy Committee meeting.

MOTION: To approve the minutes of the February 6, 2015, Public Policy Committee meeting, as presented.

MADE BY: Brandon Pharris

SECOND: Kristine Clark

The motion **passed** unanimously.

4. CHAIR'S REMARKS

Chair Taylor thanked TCDD Public Policy Director Jessica Ramos and Public Policy Specialist Belinda Carlton for their help in her advocacy efforts during the 84th legislative session. Taylor updated the

committee on pending state legislation regarding van accessible parking (HB 1317) and access to cannabidiol (CBD) for people with intractable seizures (SB 309). Chair Taylor expressed her enthusiasm for the upcoming Governor's Committee on People with Disabilities (GCPD) meeting, as they are tasked with studying and making recommendations relating to accessible parking in HB 1317. Taylor encouraged members to be active and involved in advancing ideas they are passionate about because their voices are powerful and can create change.

5. MEMBER UPDATES

Brandon Pharris expressed interest in legislation that would remove the requirement for people with disabilities to pass a written driving test in order to obtain a Texas driver's license. Public Policy Specialist Belinda Carlton informed Pharris that removing the written test requirement does not comply with the American Disabilities Act (ADA) standards. However, Carlton provided Mr. Pharris with information stating accommodations can be made during the written exam for people with disabilities seeking a driver's licenses.

Public Policy Director Jessica Ramos reported that TCDD staff and other members of Texas Developmental Disabilities Network Partners met with Project Officer Allison Cruz from the Administration on Intellectual and Developmental Disabilities (AIDD) and provided Cruz with updates pertaining to public policy in Texas. Guardianship, person-centered thinking, and activities relating to state supported living centers were a few of the topics discussed.

6. SUNSET UPDATE

Ramos provided updates about the ongoing Sunset Review and the consolidation of Texas Health and Human Services (HHS) agencies and explained the current proposed changes. Ramos noted that all five HHS agencies will be consolidated and moved to the Health and Human Services Commission (HHSC), with a few exceptions. These proposed exceptions include keeping Child Protective Services (CPS) and Adult Protective Services (APS) under the administration of Department of Family and Protective Services (DFPS), continuing the public health and data collection, currently administered by the Department of State Health Services (DSHS), as an independent agency, and transferring Vocational Rehabilitation (VR), currently administered by Department of Rehabilitative Services (DARS), to the Texas Workforce Commission (TWC). Ramos promised to give additional information once plans for consolidation are passed into law.

Ramos stated that HHS consolidation could potentially hinder public awareness and accessibility of HHS services. Committee member Kristine Clark proposed that TCDD educate the public on the new HHS system and its processes. Ramos responded that describing services in a simple and easy to understand way is necessary and stated that TCDD staff would remind agencies to communicate plainly with the public. Chair Taylor noted that the Council's involvement in educating the public on the new HHS system could be addressed at the August meeting.

7. PUBLIC POLICY ISSUES

Ramos reminded members to refer to the TCDD website for updates on legislation. Ramos asked members if they had any questions about the bills under consideration. Chair Taylor thanked TCDD staff for providing detailed legislative information. Ramos reminded the Committee about the guardianship reform and supported decision-making accomplishments addressed during the Committee of the Whole.

A. Employment First Taskforce

Ramos updated the Committee on the Employment First Taskforce and informed the Committee about the absence of TCDD representation due to Executive Director Roger Webb's retirement. Ramos stated that although TCDD will continue to follow the activities of the Employment First Taskforce, at this time TCDD does not have representation on the Employment First Taskforce. HHSC representative April Young stated that TCDD's representation on the Employment First Taskforce has not been ruled out and representation from TCDD staff is still under consideration.

B. Community First Choice

Ramos updated the Committee on Community First Choice (CFC), an optional program included in the Affordable Care Act (ACA). The Centers for Medicare and Medicaid Services (CMS) approved Texas' CFC application, making it one of only a handful of states to receive approval. Starting June 1, CFC will provide an entitlement for personal attendant and habilitation services, known as PAS/Hab. Ramos reminded the Committee of its inclusion in SB 7 (2013) and that it is the first long-term service and support entitlement benefit for people with intellectual and developmental disabilities (IDD) or a functional need for habilitation. Young offered informational materials and referred members to the HHSC website for additional CFC information. Ramos explained the complications that arise when developing and implementing new programs like CFC. Though the program will be up and running on June 1, it will take some time to get everyone enrolled. All stakeholders agree that outreach to the general public about the service should begin after all persons on interest lists are enrolled. Outreach should begin in earnest by the end of the year.

C. TCDD Biennial Disability Report

Ramos told the committee that TCDD's Biennial Disability Report (BDR) would no longer be required by the legislature as a result of SB 200 (2015). The BDR was a product of a collaborative effort with the Texas Office for the Prevention of Developmental Disabilities (TOPDD) and then delivered to HHSC for review. However, due to the anticipated abolishment of TOPDD and the transfer of their functions to HHSC, the BDR would have had to be developed with HHSC and turned in to HHSC. Ramos indicated that the information typically included into the report would be made available to the public in new, accessible and engaging ways, such as infographics.

8. OTHER DISCUSSION ITEMS

Chair Taylor gave an update on pending federal legislation known as the Compassionate Access, Research Expansion and Respect States (CARERS) Act.

ADJOURN

There being no further business, Committee Chair Lora Taylor adjourned the meeting at 4:12 p.m.

Roger A. Webb
Secretary to the Council

Date

Public Policy Issues	Tab 16
<p><u>Background:</u></p> <p>A. <u>State Policy Issues</u> TCDD Staff will provide an update regarding recent public policy activities, including the implementation of legislation and budget adopted by the 84th Texas Legislature.</p> <p>Discussion topics include:</p> <ul style="list-style-type: none"> • Guardianship Reform and Supported Decision-Making • Day Habilitation • Community First Choice <p>B. <u>Update on State Supported Living Center Activities</u> The Committee will receive an update on recent activities involving State Supported Living Centers.</p> <p>C. <u>Federal Policy Issues</u> TCDD Public Policy staff will provide an overview of the status and implementation of various federal legislative initiatives that impact people with disabilities.</p> <p>Discussion topics include:</p> <ul style="list-style-type: none"> • Fair Housing Act and Supreme Court Decision (news article provided for your reference) • ABLE Act and Proposed IRS Rules (news article provided for your reference) 	
<p><u>Public Policy Committee</u></p> <p><u>Agenda Item 6.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will receive updates on these items and may make recommendations for consideration by the Council.</p>
<p><u>Council</u></p> <p><u>Agenda Item 11. A.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will receive reports from the Public Policy Committee and consider any recommendations offered from the Committee.</p>

Austin American-Statesman

Suehs: Give Elderly and Persons with Disabilities Peace of Mind

By Tom Suehs - Special to the Austin American-Statesman newspaper. Published date: July 13, 2015

Some have called it the “silver tsunami,” the far-reaching effects of an aging baby boomer population.

From tax revenues and pension funds to transportation, health care and housing options for older adults, the impact of a rapidly aging U.S. population will be significant.

By 2020, about 25 percent of the U.S. workforce will be workers age 55 and over. And by 2030, 20 percent of American workers will be 65 or older.

And as the population ages, those Texans who may no longer drive or be able to live independently face a more daunting challenge.

Imagine if you had your freedom to make decisions about where you live, whom you associate with and your right to decide medical treatments and financial activities taken away, as well as losing your right to vote and to marry. That’s what can happen when you’re placed into guardianship.

As the numbers of Americans with Alzheimer’s disease, dementia and disabilities increases, the need for guardianship will also rise. More than 50,000 Texans live under guardianship now — a 60 percent increase since 2011.

Ideally, guardianships are supposed to provide protection for adults whom our courts deem incapacitated. Often, guardianship is appropriate and works as intended; ensuring guardians effectively manages the affairs of the elderly and disabled appropriately, honestly and fairly.

Unfortunately, guardianship profoundly limits a person’s decision-making. The guardianship process often opens the door to abuse and neglect, as well as unscrupulous and greedy family members. It has become a legal process deeply in need of reform.

It’s rare to bring together such a broad and politically diverse coalition of people who are elderly, people with disabilities, social workers and health care advocates, but that silver tsunami — along with a history of abuse and neglect under the present guardianship system — was a clarion call to unite us.

The Guardianship Reform and Supported Decision-Making Workgroup, of which I’m a member, brought together more than 15 organizations to champion needed reforms.

This spring, Texas lawmakers, with the leadership of state Sen. Judith Zaffirini and state Rep. John Smithee, embraced a bill of rights for persons under guardianship — commonly referred to as wards. It's not only landmark in the protections and empowerment it provides persons under guardianship, but it also makes Texas a trailblazer, as we are the first state to pass and sign "supported decision-making" into law.

What is supported decision-making? Texas Supreme Court Chief Justice Nathan Hecht, a strong advocate for these reforms, aptly coined the phrase, "a durable power of attorney light." It allows people who need help to enter into an agreement with someone they choose and trust to help understand and communicate decisions.

Supported decision-making is a fair and reasonable alternative to guardianship. It ensures Texans and our courts consider all options and work to avoid undue guardianship arrangements.

These reforms enjoyed not only the broad support of advocates, but were endorsed by the Texas Judicial Council, garnering additional credibility and a legal seal of approval.

The path forward looks considerably brighter for persons and guardians in Texas, but we know challenges remain. There is opposition to these reforms from some members in the legal community, who created a cottage industry going after the limited assets of the elderly and individuals with disabilities.

We must remain vigilant that our courts and the guardianship system are used for justice and to protect the most vulnerable Texans, and are not used to support the greed of unscrupulous guardians, family members or lawyers looking to make a fast buck.

Working to enact guardianship reforms and supported decision-making was a solemn promise I made to my late mother-in-law. For her and for the persons and families of Texans in guardianship today, we can truly say to the Texas Legislature, job well-done.

Tom Suehs is a former executive commissioner of the Texas Health and Human Services Commission and is a member of the Guardianship Reform and Supported Decision-Making Workgroup.

Do people in the Home and Community-based Services (HCS) program have to attend a habilitation program?

The short answer is “No.” State rules are clear.* Waiver participants are not required to attend day habilitation programs. Day habilitation is one of many choices.

Medicaid waiver participants, their LAR, family members, friends, and providers sometimes ask whether going to day habilitation is *required*. The question comes up because many people in the HCS program attend day habilitation.

Part of the confusion may stem from the similarity in terms *day activity* and *day habilitation*. In HCS, providers are required to give each adult participant under the age of retirement (and LAR on the individual’s behalf) choices about *day activities* that will help the individual get, keep, and build on skills needed to live in and be a part of the community. The choices offered must be of the best type and amount to meet the individual’s needs and preferences.

The provider must offer choices that are based on the Person Directed Plan (PDP). The individual and LAR direct the development of this plan, which describes the supports and services needed to achieve the outcomes that the individual and LAR want. This core plan serves as the basis for what providers do (described in the Individual Plan of Care and the Implementation Plan).

Following these plans, providers are required to make day activities and experiences available for at least six hours a day, five days a week. The individual may choose and the provider must make available any HCS service option, as well as natural or community supports, for day activities. These choices and opportunities must be like those experienced by peers without disabilities. The activities must be appropriate to individuals of the same age and consistent with the individual or LAR’s choice. *Day activities may or may not be provided through day habilitation, which is just one option and choice, not a requirement.*

Any limitation on the individual’s choice cannot occur without good reason. It must be agreed upon and put in writing by the team involved in service planning for the individual. This team includes the individual, LAR, and any other persons chosen by them, including friends and family members.

The same principles hold true for individuals receiving residential assistance through HCS host home/companion care (formerly foster care), supervised living, or residential support.

Waiver participants are not required to attend a day habilitation program.

Choice is one of the cornerstones of the HCS program. If an individual, LAR, or host home/companion care or other provider believes that opportunities for day activities are not appropriate, are not consistent with the PDP, or are limited without a good reason agreed upon by members of the service planning team, a complaint can be made to the Consumer Rights at 1-800-458-9858 or by emailing CRID@dads.state.tx.us.

*Texas Administrative Code, Title 40, Chapter 9, Subchapter D, Home and Community-Based Services Program

CFC Frequently Asked Questions

Community First Choice (CFC)

Question: How will CFC work in Texas?

Answer: CFC services will be available across all service models for children and adults who qualify for this benefit. See the attached CFC Provider Summary Tool table for more information on parties responsible for CFC activities.

Question: What is CFC?

Answer: CFC is a state plan option that allows states to provide home and community-based attendant services and supports to eligible Medicaid enrollees under their state plan.

Question: How will CFC affect individuals currently on an interest list?

Answer: Individuals on the interest list may be eligible to receive services through CFC, provided they meet eligibility criteria. Individuals on an interest list can continue to be on the interest list of waiver services while receiving CFC.

Question: Who is eligible for CFC?

Answer:

1. To be eligible for CFC, an individual must:
 - Be a child or an adult who is eligible for Medicaid.
 - Meet an institutional level of care, including:
 - i. hospital,
 - ii. a nursing facility,
 - iii. an intermediate care facility for individuals with an intellectual or developmental disability,
 - iv. an institution providing psychiatric services for individuals under age 21, or
 - v. an institution for mental diseases for individuals age 65 or over.
 - Need help with activities and instrumental activities of daily living (ADLs and IADLs), such as dressing, bathing and eating.

Question: Is there an interest list for CFC or is it an "entitlement" like Personal Care Services (PCS)?

Answer: No, there is not an interest list for CFC. CFC is a Medicaid State Plan entitlement service and must be provided to those individuals that meet the eligibility criteria.

Question: Will people with intellectual or developmental disabilities (IDD) who meet the eligibility criteria for CFC have access to CFC services, regardless of whether they are currently enrolled in STAR+PLUS or receiving/not receiving services through one of the four IDD waivers?

Answer: Yes. Individuals with IDD that meet the coverage criteria and are being served in a home or community setting will have access to CFC. CFC is available to individuals that reside in their own home, or the home of a family member (own home, family home setting).

Question: Will people that are dual eligible, meaning they have both Medicaid & Medicare, be eligible to receive CFC?

Answer: Yes, individuals who are eligible for "full" Medicaid state plan benefits and meet the other eligibility criteria for CFC will be able to receive CFC services. Full dual-eligible means an individual who is enrolled in Medicare and Medicaid and is eligible to receive full Medicaid state plan benefits, and is not limited to payment of Medicare premiums and cost-sharing.

Question: Will habilitation be accessible to all individuals regardless of their level of functioning?

Answer: All individuals who meet the eligibility criteria for CFC are eligible to receive habilitation if the individual has an identified unmet need for the service as determined by the individual and the service planning team using a person-centered planning process.

Question: As current PCS (or Personal Assistant Services (PAS)) providers can also become the CFC providers, does this not create a conflict of interest as they are now providing habilitation services to teach clients increased independence and therefore would decrease their paid hours to provide PAS/PCS which is helping them with ADLs/IADLs for which they require assistance?

Answer: The goal of CFC is increase access to long-term care services and supports that enable individuals to remain in a community setting even though a medical condition or disability would warrant placement in a long-term care facility. Habilitation helps members acquire, maintain, and enhance skills to accomplish ADLs, IADLs and health-related tasks. Individuals that receive habilitation services may have less of a need for attendant services. Authorization of services will be based on an individual's functional assessment and service needs.

Question: Do children have to choose a managed care plan in order to access the CFC benefit?

Answer: No. Currently, children who meet the requirements may access CFC through the Fee-For-Service (FFS) model if they are enrolled in FFS or STAR, or managed care if they are enrolled in STAR+PLUS or STAR Health.

Question: Please clarify the availability of CFC to children in foster care.

Answer: Children in Department of Family and Protective Services (DFPS) conservatorship can receive CFC if they meet the criteria.

Question: Will you be holding trainings in person, non-webinar?

Answer: DADS and HHSC conducted in person trainings across the state beginning in December 2014-February 2015. Additional in-person trainings are not planned.

Services

Question: What is the definition of cueing with regards to habilitation services?

Answer: Cueing could include reminders for activities such as personal hygiene, diet, dressing, toileting, and social behavior.

Question: What services are included in the CFC benefit?

Answer:

- PAS: assistance with ADLs and IADLs through hands-on assistance, supervision, and/or cueing.
- Habilitation (HAB): acquisition, maintenance, and enhancement of skills necessary for the individual to accomplish ADLs, IADLs, and health-related tasks
- Emergency response services (ERS): backup systems and supports to ensure continuity of services and supports. Backup systems and supports include electronic devices to ensure continuity of services and supports and are available for individuals who live alone, who are alone for significant parts of the day, or have no regular caregiver for extended periods of time, and who would otherwise require extensive routine supervision.
- Support Management: voluntary training on how to select, manage, and dismiss attendants. This is a voluntary service that offers practical skills training and assistance related to recruiting, screening, hiring, managing, and dismissing attendants.
- Support Consultation: An optional service for those who use the CDS option that is provided by a support advisor and provides a level of assistance and training beyond that provided by the Financial Management Services Agency (FMSA) through Financial Management Services (FMS). Support consultation helps an

- employer to meet the required employer responsibilities of the CDS option and to successfully deliver program services.
- PAS and HAB will be available through the CDS option.

Question: For children receiving personal care services (PCS) in FFS and STAR, must the client choose either PCS or CFC or can they receive both at the same time?

Answer: Clients will be assessed for CFC services at the time of their PCS reassessment. In cases where children qualify for CFC services, CFC will replace the PCS benefit for children who meet the CFC eligibility criteria. Individuals who do not meet the CFC eligibility criteria, but meet the criteria for PCS, will be eligible to receive PCS consistent with current PCS policy requirements.

Question: Will CFC PAS/HAB be provided long term, since it includes habilitation and a child may need ongoing support to complete tasks such as eating, bathing, and dressing? If the child continues to need CFC year after year, would they have to consider using PCS as they have not gained sufficient skills to complete tasks by themselves?

Answer: CFC services are not time or age limited. Eligible individuals will be able to access CFC services as long as needs are present.

Question: Is there a limit on the amount of CFC services an individual may receive?

Answer: There is not a defined annual cost limit for CFC. However, the amount of CFC services an individual receives is based on an assessment of an individual's need for the service as developed by the service planning team, using a person centered planning process.

Question: What are ADLs and IADLs?

Answer:

- ADLs means basic personal everyday activities including, but not limited to, tasks such as eating, toileting, grooming, dressing, bathing, and transferring.
- IADLs means activities related to living independently in the community, including but not limited to, meal planning and preparation, managing finances, shopping for food, clothing, and other essential items, performing essential household chores, communicating by phone or other media, and traveling around and participating in the community.

Question: What is support management, how will it be provided, and will the provider be compensated?

Answer: Support management is voluntary training on how to select, manage, and dismiss attendants. If an individual requests this service, the CFC provider will be expected to provide the individual with information about support management through a toolkit which will soon be available on the DADS and HHSC websites. There is not a separate rate for support management.

Question: In general, what is the difference between PCS, PAS, and CFC?

Answer:

PAS and PCS provide personal assistance services in completing tasks related to ADLs/IADLs. CFC will provide personal assistance services and habilitation. Habilitation includes acquisition, maintenance, and enhancement of skills necessary for the individual to accomplish ADLs, IADLs, and health-related tasks. In addition, individuals receiving CFC must meet institutional level of care requirements.

Question: Is there a limit on the amount of CFC services individuals may receive?

Answer: There is not a defined annual cost limit for CFC. However, the amount of CFC services an individual receives is based on an assessment of an individual's need for the service and consideration of unmet needs as developed by the service planning team, using a person-centered planning process.

Question: Does CFC replace respite?

Answer: No. CFC does not replace respite. Respite will remain a service in the waiver programs. Respite is not changing as part of this initiative. Respite cannot be provided at the same time as CFC PAS/HAB.

Question: Does the state plan include respite?

Answer: No, respite is not a state plan benefit. The CFC benefit that will implement on June 1, 2015 does not include respite.

Question: Does CFC have an impact on day habilitation?

Answer: Day habilitation is not a CFC service, and will remain a service in the IDD waiver programs. Day habilitation is not changing as part of this initiative. Day habilitation may not be provided at the same time as CFC PAS/HAB.

Question: Will CFC ERS be available for individuals who do not live in their own home, or a family home setting (e.g., an assisted living facility)?

Answer: No. CFC ERS will be available only to individuals who reside in their own home or family home setting.

Level of Care Determinations and Assessments

Question: Who is responsible for determining level of care for CFC eligibility?

Answer: There are three levels of care determinations which include: nursing facility/hospital, ICF/IID, and IMD (for individuals under 21 and over 64). Different entities are responsible for completion and approval of the LOC depending on the program through which CFC is being delivered. For individuals in STAR+PLUS, who meet medical necessity, the MCO will be responsible for assessing and authorizing CFC services. Individuals with IDD will be assessed by the Local Intellectual and Developmental Disability Authorities (LIDDA). See the attached CFC Provider Summary Tool for more information on parties responsible for CFC activities.

Question: Who is responsible for completing the functional assessment?

Answer: Different entities are responsible for completion of the functional assessment depending on the program through which CFC is being delivered. See the attached CFC Provider Summary Tool for more information on parties responsible for CFC activities.

Question: Will LOC reassessment still be required annually?

Answer: Yes, LOC determinations are required annually or if there is a significant change in condition.

Person-Centered Planning

Question: What is person-centered planning?

Answer: A documented service planning process that includes people chosen by the individual, is directed by the individual to the maximum extent possible, enables the individual to make informed choices and decisions, is timely and occurs at times and locations convenient to the individual, reflects cultural considerations of the individual, includes strategies for solving conflict or disagreement within the process, offers choices to the

individual regarding the services and supports they receive and from whom, includes a method for the individual to require updates to the plan, and records alternative settings that were considered by the individual.

Question: Who must receive person-centered planning training?

Answer: All persons completing the functional assessment and service plan must receive person-centered planning training. HHSC and DADS are working on disseminating further details about the training, timeframe to complete, and policy.

Question: How long do assessors have to complete the training?

Answer: Assessors have two years from CFC implementation or date of hire to complete the training.

Question: If someone has already attended the two-day person-centered planning training, will they be able to use that past training to qualify for the training requirement for CFC?

Answer: Provider staff will need to send inquiries about person-centered training qualifying for CFC to the appropriate agency overseeing the benefit for that provider (HHSC, DADS). For HHSC, the inquiry should be sent to MCD_CFC@hhsc.state.tx.us. For DADS, the inquiry should be sent to CFCpolicy@dads.state.tx.us.

CFC Appeals Process

Question: Is the individual going to have appeal rights for CFC eligibility denials?

Answer: Yes, individuals will have the right to appeal any adverse action related to CFC (reductions and denials of services, suspensions, denial of eligibility, terminations). For CFC, the appeals will follow the same process they do today depending on the service delivery model.

CFC and Electronic Visit Verification (EVV)

Question: Will providers have to use Electronic Visit Verification (EVV)?

Answer: If you are a provider in a waiver program that currently uses EVV you will continue to use EVV for CFC services. If you are contracting to provide CFC services to an individual through an MCO (e.g. non-waiver), you will be required to use EVV even if you are not required to use EVV for DADS waiver programs. For more information about EVV, please reference the HHSC EVV website at: http://www.tmhp.com/Pages/Medicaid/Medicaid_home.aspx

For more information on EVV please see:

<http://www.dads.state.tx.us/evv/index.html>

CFC and Managed Care Organizations (MCOs)

Note: Additional information on managed care processes will be published in the near future.

Question: What does MCO stand for and please give an example.

Answer: MCO stands for Managed Care Organization. There are five MCOs that will be contracting with providers for CFC: Amerigroup, Molina, Cigna HealthSpring, Superior, and United Healthcare.

Question: Will CFC be available in all the managed care models?

Answer: No, children in STAR receive CFC through FFS.

CFC is available in STAR+PLUS, STAR Health, and the Dual Demonstration.

Question: Can an individual receive both STAR+PLUS waiver and CFC since both offer PAS services?

Answer: An individual can be enrolled in STAR+PLUS waiver and receive CFC services as long as the individual has a need for at least one waiver service. While it is true both STAR+PLUS waiver and CFC include PAS, STAR+PLUS waiver PAS includes protective supervision, while CFC PAS does not. However, an individual can receive Protective Supervision through the STAR+PLUS waiver and continue to receive CFC PAS.

Rates for CFC

Question: What is the pay rate for CFC for those not already in a waiver?

Answer: The rates for CFC services will be published in May 2015.

Provider Types

Question: Who can deliver CFC? What are the qualifications of CFC service providers?

Answer: CFC services will be provided by long-term services and supports (LTSS) providers and state plan service providers that are determined to be qualified by the State of Texas in a program already approved by CMS. This includes: licensed Home and Community Support Service Agencies, Personal Care Service providers, and certified DADS waiver providers.

Question: What do the Local Intellectual and Development Disability Authorities (LIDDA) provide?

Answer: Under Senate Bill 7, 83rd Texas Legislature, Regular Session, 2013, LIDDA provide: Service coordination to individuals with Intellectual and Developmental Disabilities (IDD) receiving CFC services, assessments for CFC eligibility and functional needs, and proposed plans of care for individuals with IDD. LIDDA may not provide CFC services *and* perform service coordination.

Question: Will CFC require licensure as a HCSSA or certification as an HCS or TxHmL Program provider—does a provider need both?

Answer: The provider can qualify to deliver CFC as a HCSSA or as a certified HCS or TxHmL Program provider.

Question: What type of Home and Community-based Support Services Agency (HCSSA) license does a provider need to participate in CFC?

Answer: Providers need PAS or a Home Health HCSSA licensure.

Question: Are there any Significant Traditional Providers (STPs) in CFC?

Answer: SB7 requires MCOs to extend a contract to STPs. STPs include CLASS licensed home and community support service agencies (HCSSAs) and certified Home and Community-based Services and Texas Home Living providers. HHSC has also included Deaf Blind with Multiple Disabilities (DBMD) HCSSAs as qualified providers. STPs can contract with MCOs to deliver CFC services to non-IDD waiver individuals under contract with the MCOs.

Question: How can an agency contract with an MCO to provide CFC services?

Answer: State law requires MCOs extend provider contracts and include significant traditional providers in the CFC provider network. Significant traditional providers include providers who currently delivery services under the following waiver programs: DBMD, CLASS, HCS and TxHmL. Providers have the choice to participate in the managed care network.

To contract with an MCO a provider may contact the MCO.

Amerigroup	1-713-218-5100 Ext. 55446
Molina	1-866-449-6849
Cigna HealthSpring	1-877-653-0331
United Healthcare	1-888-787-4107
Superior	1-866-615-9399 Ext. 22534

Settings

Question: Where can CFC be provided?

Answer: All CFC services are provided in a home or community-based setting, which does **not** include a nursing facility, hospital providing long-term care services, institution for mental disease, intermediate care facility for individuals with an intellectual disability or related condition, or setting with the characteristics of an institution.

Question: Can individuals in group homes receive CFC?

Answer: An individual must live in their own home or family home to receive CFC services.

Question: Will individuals leaving a nursing facility (NF) and going into the community qualify for CFC?

Answer: If an individual is transitioning from a nursing facility and continues to meet the eligibility criteria for CFC (outlined in question 1), they would be able to receive CFC services if they have an identified need.

Question: How is the term “community based setting” defined?

Answer: Federal requirements for home and community-based settings can be found at the following link: <http://www.medicaid.gov/medicaid-chip-program-information/by-topics/long-term-services-and-supports/home-and-community-based-services/downloads/requirements-for-home-and-community-settings.pdf>

Consumer Directed Services Option

Question: If an individual chooses the Consumer Directed Services (CDS) service delivery option, does the individual hire a provider to provide Support Management and pay that service provider, similar to how Support Consultation works?

Answer: Support Management is a voluntary training benefit rather than a service. There will be no reimbursement rate for it. Provider agencies or Financial Management Services Agency (FMSA) are responsible to offer support management. Support consultation is available for CDS employers who choose additional support for hiring, dismissing and training attendants.

Question: Will CFC be available under the SRO service delivery option?

Answer: Yes.

84th Legislature Left the Troubled State Supported Living Center System in Limbo

By KIMBERLY REEVES

July 6, 2015

“No one should be claiming victory here”

The state’s system of 13 State Supported Living Centers got a reprieve during this year’s legislative session, but advocates for the disabled do not at all consider it a victory.

The potential closure of the Austin State Supported Living Center was a flashpoint during the 84th session. While testimony was split on the value of keeping the centers open – especially the one in Austin – advocates for the disabled were vocally supportive of putting the living centers on life support with a timeline to close.

“No one should be claiming victory here,” said Dennis Borel of the Coalition of Texans with Disabilities. “The state has not won, nor have individuals with disabilities. All we did was to maintain the status quo, and all the problems associated with it. Things are not going to be any different.”

The failure of the Department of Aging and Disability Services’ sunset bill, Senate Bill 204, means the living centers are in limbo. In addition to the plan to close, there would have also been an assessment of the true costs of the centers, which have become a significant money drain in the state’s budget.

Sen. Kirk Watson, D-Austin, expressed his own misgivings about a proposal to move residents of the Austin SSLC into other types of community settings on the floor of the Senate during discussion of the sunset bill.

“Where we find ourselves today is due to a failure of the state to best serve these most vulnerable Texans,” Watson said. “Simply closing this facility will not ensure safety, dignity and respect for Texans living with intellectual and development disabilities. We’ve fixed nothing.”

Borel sees nothing to support in a system that now serves just over 3,200 residents with a ballooning budget of more than \$662 million and almost 14,000 employees. Joe Tate of Community Now!, who has filmed a documentary on the state supported living centers, calls their continued existence nothing more than a jobs program for small communities.

“To be bold on this issue is hard. It’s such a special interest issue. So much federal money is pouring into these districts,” Tate said. “In many places, the living centers are one of the largest employers in the community. That’s why you see the Abilene Chamber of Commerce at the hearing. This is about jobs.”

The gentleman’s agreement in both chambers is that no lawmaker will support closing a facility that impacts a single district, Borel said. And, he said, the state has a perverse incentive to maintain the state system: Each individual patient living at a state-supported facility can draw down hundreds of thousands of dollars in various services. If that same patient was in a community setting and a care attendant could end up paid \$8 per hour.

Borel said it’s almost impossible to separate out the state money from the money that would continue to flow to Texas if the state supported the option of community housing, which is what advocates for the disabled would like to see. As Watson noted, the number of providers willing to step up and take those individuals is small.

Advocates still see the state centers as a drain on limited state resources. As Borel points out, the waiting list for community-based services in areas such as autism are long. Children and their families can wait years for services. Not a single state supported living center has a waiting list, even as the number of residents dwindles.

The fact the federal government continues to monitor the state system of living centers without better results is galling to Borel. A settlement agreement between the state and the Department of Justice has set a low bar for the living centers to reach, although DARS Spokesperson Melissa Gale says the centers are making slow but steady progress on meeting federal guidelines.

“We understand there are a variety of opinions regarding the size and number of state supported living centers operated by the State of Texas,” Gale said of calls to close the state centers. “As long as the SSLCs are an option, we will make it our top priority to ensure residents receive high quality care, and we will continue to seek opportunities to improve services as we move forward.”

Independent monitors make rounds of all the state supported living centers. Reports for Lufkin and Richmond were posted recently. Gale said those initial baseline reports will be translated into outcome measures that will be used to measure the quality of service among residents going forward.

Gale calls progress “slow but steady.”

Borel, who continues to follow the reports on individual centers, completely disagrees.

He pulled a report from the Austin State Supported Living Center in March, under the new system, that outline deficiencies in areas such as allowing residents to have access to their belongs and the ability to implement proposed behavior modification plans.

A brutal fight club at the Corpus Christi SSLC prompted then-Gov. Rick Perry to declare the reform of the system an emergency issue for the 81st legislature. Borel and Tate, however, see the changes as superficial improvements.

“I can’t imagine that they’ve suddenly turned around from 40 years of deficiencies and 6 years of DOJ monitoring of a plan that the state signed off and agreed to,” Borel said. “They agreed to correct the issues in four years. They’re not even close.”

Gale said the timeline for the improvement of the system of 13 residential facilities was indefinite. She said the agency, which will be folded into the greater Health and Human Services Commission by 2017, is willing to work with all partners.

It’s time to shut the system down once and for all, Borel said. Capacity has dropped 70 percent over the past four years. Facilities are poorly maintained. The Austin SSLC already has been pared the number of residents by half. The only upside Borel can see in the sunset bills is that proceeds from the sale of any property will go back into healthcare and not the state’s general revenue.

“If we shrink the number of facilities to five, they’d be able to staff it better, oversee it better. All the people who wanted a facility would have one,” Borel said. “The population in these facilities will go away. It’s going to continue to happen. That’s why 11 other state now have no state-operated facilities at all.”

The closure of any SSLC will require legislative action.

The Real Impact of the Supreme Court's Fair Housing Decision

By CHRISHELLE PALAY

July 2, 2015

Last week, the U.S. Supreme Court released its decision on the much debated case Texas Department of Housing & Community Affairs vs. Inclusive Communities Project, Inc. The justices ruled that the disparate impact provision of the Fair Housing Act is a viable instrument to help determine the validity of housing discrimination claims for vulnerable populations.

While many fair housing advocates across the nation are celebrating this ruling, there are also many state agencies and developers who view disparate impact simply as an impediment to business. In the mix of opinions, there remains a voice that is not being consulted or, honestly, even regarded: The people for whom the law was intended.

While the fight for justice wages on, who is taking time to talk to the people who are most affected and covered by this latest ruling? Some of these people might include:

- ! The young African-American father who cannot find quality affordable housing near the college where he attends night classes.
- ! The single mother in search of a quality school district so that her special needs child can receive a good education.
- ! The immigrant family seeking quality housing in a safe neighborhood that is near the parents' places of work.

These are just a few examples of the everyday people who are left out of the very polarizing conversation surrounding the Supreme Court. Instead, most of the ongoing debate has been centered around the power of developers and the government.

The spirit and intent of the Fair Housing Act boils down to a simple concept: Ensuring that all people have the opportunity to live in quality housing. The original focus of the Fair Housing Act was not about making sure proposed budgets pencil out, nor the competitive point-scoring systems for housing applications. People of the human race, regardless of their color, national origin, sex, familial status or disability, are in desperate need of housing that they can afford.

If you have a Housing Choice Voucher in Houston, your quality housing options are extremely limited. As of 2010, there were more than 19,000 families on Houston's voucher waiting list. If you are one of the nearly 23,000 people with a voucher in the Houston area, your search for housing is a challenge. After gaining access to a computer and beginning your search, the shortage of quality housing choices becomes evident rather quickly. In Texas, property owners have the right to turn renters away simply based on their source of income. A property owner can disqualify an applicant if they are paying any portion of their rent with a voucher. Thus, most voucher holders begin their search at a deficit.

According to Houston Housing Authority's recommended search engine, there are only 174 available units within the city of Houston that accept vouchers and are not elderly properties. The number of available units in communities that are not within concentrations of poverty, minority and crime are even more miniscule. It's difficult to dispute that this presents a serious problem for affordable housing seekers in Houston and other cities like it.

Because of the Supreme Court's decision to uphold disparate impact, a tool does exist to promote equitable housing in all communities, and not simply concentrate more poverty in existing depressed communities. What does this mean to common folks who are not fully immersed in the world of fair housing and affordable housing? Ideally, it means that everyone will have a better shot at choosing where they want to live and not be limited to housing choices in communities that do not ultimately fit their needs.

In a society still fraught with racism and an inferred undertone that poor, disabled and minority families do not deserve equitable services, the Supreme Court's ruling could not come at a better time. But now that the decision has been issued, what's next? Will the provision of housing choice be enforced? How will NIMBYism and the refusal of building in high opportunity census tracts be dealt with? And in the meantime, while it's all being figured out by the experts, what answers can be given to those families who simply want to find homes for their families in areas that can provide a decent education for their kids and safe place to lay their heads at night?

These are the same families who have been searching for homes in a subpar selection pool, to no avail. Instead of participating in the ongoing intellectual debate, it's time to put differences aside and seek out viable solutions for a population that has been historically disenfranchised. How will you contribute to making our society equitable and whole?

<http://texashousers.net/2015/07/02/the-real-impact-of-the-supreme-courts-fair-housing-decision/>

IRS Proposes Rules for New ABLE Accounts

By MICHELLE DIAMENT

June 23, 2015

Six months after a federal law paved the way for tax-free savings accounts for people with disabilities, officials are providing details on how they expect the new program to operate.

In a proposed rule issued Monday, the Internal Revenue Service unveiled guidelines for the Achieving a Better Life Experience, or ABLE, Act. The federal law is designed to allow people with disabilities to save money without risking their government benefits.

The proposal offers specifics for the first time on how the new accounts should function and clarifies what types of expenses money saved in an ABLE account could be used for.

Advocates say they're pleased that the IRS took a lenient view in determining what counts as "qualified disability expenses" under the law. Though the ABLE Act mandates that money can be used for specific purposes including transportation, housing and education, the law also allows for "other expenses" and it is up to regulators to determine what should qualify.

"The Treasury Department and the IRS conclude that the term 'qualified disability expenses' should be broadly construed to permit the inclusion of basic living expenses and should not be limited to expenses for items for which there is a medical necessity or which provide no benefits to others in addition to the benefit to the eligible individual," the proposal states.

The view that expenses must merely offer a quality of life benefit for a person with a disability — rather than be of medical merit — is significant, said Heather Sachs, vice president of advocacy and public policy at the National Down Syndrome Society.

"We're glad to see that a person with a disability would not have to justify the purchase of an iPhone or something similar as a medical expense," Sachs said.

Other details within the proposal are causing concern, however. The reporting and oversight requirements outlined go beyond those governing 529 college savings plans that the ABLE accounts were modeled on and could make the disability savings vehicles onerous to administer or utilize, advocates and state officials say.

"As I read the proposed regulations, every time individuals with disabilities want to spend even a single dollar of their money, from their own ABLE accounts, they have to file paperwork with the state demonstrating that each is a 'qualified disability expense,'" said Nebraska State Treasurer Don Stenberg. "This is a slap in the face of Americans with disabilities, is an unreasonable and unnecessary burden on them, and will create administrative burdens that will increase the costs qualified individuals will need to pay to use the program."

The proposed rules will be up for public comment for 90 days before the IRS issues final regulations.

In the meantime, several states are working to make the ABLE Act a reality for their residents. Despite the federal law, each state must put their own regulations in place before making the accounts available.

Currently, the ABLE Act has been enacted in 22 states, according to the National Down Syndrome Society. Each of these states, however, is still working out details related to administering the program.

Sachs said she expects that states will likely wait for the final IRS rules to be issued before allowing financial institutions to begin offering ABLE accounts.

<http://www.disabilityscoop.com/2015/06/23/irs-proposes-rules-able/20401/>

Bullying in the Workplace		Tab 17
<p><u>Background:</u></p> <p>TCDD staff will provide information regarding how to address bullying in the workplace.</p> <p>Background documents include:</p> <ul style="list-style-type: none"> • Current law regarding bullying • HB 3226 (2015) relating to abusive conduct in the workplace • Texas Workforce System Strategic Comments 		
<p><u>Public Policy Committee</u></p> <p><u>Agenda Item 7.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will receive updates on this topic and may make recommendations for consideration by the Council.</p>	
<p><u>Council</u></p> <p><u>Agenda Item 11. C.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will receive reports from the Public Policy Committee and consider any recommendations offered from the Committee.</p>	

Bullying in the Workplace

October is National Disability Employment Awareness Month. In combination with the 25th anniversary of the Americans with Disabilities Act, it provides an opportunity to address the bullying of people with disabilities in the workplace.

Current Status

- There is no federal law that explicitly defines or prohibits “bullying.”
- Current federal and state laws referencing bullying are focused on schools and children.
- Approximately 29 states, including Texas, have introduced anti-bullying in workplace bills¹, which are modeled in large part after the “Healthy Workplace Act” drafted by David Yamada² and supported by the Workplace Bullying Institute.³
- During the 84th Texas Legislature, Representative Garnet Coleman introduced House Bill 3226, modeled after the “Healthy Workplace Act.” Although it mentions people with disabilities, it does not recognize protected status groups *per se*. It was referred to the House Business and Industry Committee but did not get a hearing. A copy of the bill is attached.

Bullying is Harassment

Bullying is harassment (systematic, annoying, and continued actions which include threats and demands; creating a hostile situation by uninvited and unwelcome verbal or physical conduct).

Harassment (Title VII, Civil Rights Act of 1964; Civil Rights Act of 1991)⁴

- It is illegal to harass an applicant or employee because he has a disability, had a disability in the past, or is believed to have a physical or mental impairment that is not transitory (lasting or expected to last six months or less) and minor (even if he does not have such an impairment).
- Harassment can include, for example, offensive remarks about a person's disability. Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that aren't very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted).
- The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer.
- At work a complaint of harassment can result in anti-discrimination proceedings if (1) the person being bullied is in a protected class (which includes people with disabilities), (2) the bully is not in a protected class, and (3) a hostile work environment exists.
- The Civil Rights Act of 1991 provides for the recovery of compensatory and punitive damages for intentional violations of Title VII, the Americans with Disabilities Act, or Section 504 of the Rehabilitation Act of 1973.
- Successful suits are rare. Even when they make it to trial, they tend to be dismissed. When there is a victory, often the payment of damages is reduced.⁵

¹<http://www.workplacebullying.org/>, accessed July 7, 2015.

²Yamada DC. “Crafting a Legal Response to Workplace Bullying,” in *Employee Rights and Employment Policy Journal*, Vol. 8, p. 475, 2004.

³<http://www.workplacebullying.org/>, accessed July 15, 2015.

⁴<http://www.eeoc.gov/laws/types/disability.cfm>, accessed July 7, 2015.

⁵ Weber MC. *Disability Harassment*. New York and London: New York University Press. 2007.

Bullying and Interference, Coercion, or Intimidation (Americans with Disabilities Act; Rehabilitation Act of 1973)

- *It shall be unlawful to coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other individual in the exercise or enjoyment of, any right granted or protected by this chapter* (ADA §12203(b)).
- Two federal court decisions established that disability-based harassment is actionable under the Americans with Disabilities Act: *Fox v. General Motors* and *Flowers v. Southern Regional Physician Services Inc.* Fox made the following elements threshold criteria:
 - Complaint made by qualified individual with disability;
 - Individual subjected to unwelcome harassment;
 - Harassment based on disability;
 - Harassment severe or pervasive enough to alter the conditions of employment; and
 - Factual basis for holding the employer liable.

Bullying and Abuse (Texas Human Resources Code, Section 48.002)

Abuse is (A) the negligent or willful infliction of injury, unreasonable confinement, **intimidation**, or cruel punishment of an elderly or disabled person with resulting physical or **emotional harm or pain...**

By: Coleman

H.B. No. 3226

A BILL TO BE ENTITLED

AN ACT

relating to addressing abusive conduct in the workplace; creating a private right of action.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Subtitle A, Title 2, Labor Code, is amended to read as follows:

SUBTITLE A. EMPLOYMENT DISCRIMINATION AND ABUSIVE CONDUCT IN THE
WORKPLACE

SECTION 2. Subtitle A, Title 2, Labor Code, is amended by adding Chapter 23 to read as follows:

CHAPTER 23. ABUSIVE CONDUCT IN THE WORKPLACE

Sec. 23.001. DEFINITIONS. In this chapter:

(1) "Abusive conduct" includes an act or omission that a reasonable person would find abusive based on the severity, nature, and frequency of the conduct. The term includes:

(A) repeated verbal abuse, including the use of derogatory remarks, insults, and epithets;

(B) repeated verbal, nonverbal, or physical conduct of a threatening, intimidating, or humiliating nature;

(C) repeated sabotage or undermining of an employee's work performance; and

(D) a single act of abusive conduct that is especially severe and egregious.

(2) "Abusive work environment" means a work

environment in which an employer or an employee, acting with intent to cause pain or distress, subjects an employee to abusive conduct that causes physical harm or psychological harm.

(3) "Adverse employment action" includes termination, demotion, unfavorable reassignment, failure to promote, disciplinary action, reduction in compensation, and constructive discharge.

(4) "Constructive discharge" occurs when:

(A) an employee reasonably believes the employee has been subjected to an abusive work environment;

(B) the employee resigns because of the abusive work environment; and

(C) the employer was aware of the abusive work environment before the employee resigns but failed to stop the abusive conduct.

(5) "Physical harm" means the impairment of a person's physical health or bodily integrity, as established by competent evidence.

(6) "Psychological harm" means the impairment of a person's mental health, as established by competent evidence.

Sec. 23.002. UNLAWFUL EMPLOYMENT PRACTICES. An employer commits an unlawful employment practice if the employer:

(1) subjects an employee, or permits another employee to subject the employee, to an abusive work environment;

(2) permits the constructive discharge of an employee;
or

(3) retaliates in any manner against an employee who,

under this chapter:

(A) opposes an unlawful employment practice;

(B) makes or files a charge;

(C) files a complaint; or

(D) testifies, assists, or participates in any manner in an investigation, proceeding, or hearing.

Sec. 23.003. EMPLOYER LIABILITY; DEFENSES. (a) An employer is liable for an unlawful employment practice under this chapter.

(b) An employer is vicariously liable for the abusive conduct of an employee.

(c) A court shall consider abusive conduct that exploits an employee's known psychological or physical illness or disability as an aggravating factor.

(d) It is a defense to liability under this section that:

(1) the employer did not take an adverse employment action against the complainant and:

(A) the employer exercised reasonable care to prevent and promptly correct abusive conduct; and

(B) the complainant unreasonably failed to take advantage of appropriate preventive or corrective opportunities provided by the employer; or

(2) the employer took an adverse employment action against the complainant because of:

(A) the complainant's poor performance or misconduct; or

(B) the employer's economic necessity, reasonable performance evaluation of the complainant, or

1 reasonable investigation of the complainant's potentially illegal
2 or unethical activity.

3 Sec. 23.004. EMPLOYEE LIABILITY; DEFENSE. (a) An employee
4 is individually liable for abusive conduct under this chapter.

5 (b) A court shall consider abusive conduct that exploits an
6 employee's known psychological or physical illness or disability as
7 an aggravating factor.

8 (c) It is a defense to liability that the employee committed
9 the abusive conduct at the direction of the employer under actual or
10 implied threat of an adverse employment action.

11 Sec. 23.005. INJUNCTION; EQUITABLE RELIEF. (a) On finding
12 that a respondent engaged in an unlawful employment practice or
13 abusive conduct as alleged in a complaint, a court may:

14 (1) prohibit by injunction the respondent from
15 engaging in an unlawful employment practice or abusive conduct; and

16 (2) order additional equitable relief as may be
17 appropriate.

18 (b) Additional equitable relief may include:

19 (1) reinstating the complainant;

20 (2) removing the party that engaged in abusive conduct
21 from the complainant's work environment;

22 (3) back pay;

23 (4) front pay;

24 (5) medical expenses;

25 (6) compensation for pain and suffering;

26 (7) compensation for emotional distress;

27 (8) punitive damages; and

1 (9) attorney's fees.

2 (c) An employer who is liable for an unlawful employment
3 practice under this chapter that does not include an adverse
4 employment action is not liable for emotional distress damages and
5 punitive damages unless the actionable conduct is extreme and
6 outrageous.

7 Sec. 23.006. PRIVATE RIGHT OF ACTION; LIMITATIONS. (a)
8 This chapter may only be enforced by a private right of action.

9 (b) An action under this chapter must be commenced not later
10 than the first anniversary of the last act that constitutes the
11 alleged unlawful employment practice or abusive conduct.

12 Sec. 23.007. EFFECT ON OTHER LEGAL RELATIONSHIPS. (a) This
13 chapter does not supersede rights and obligations provided under
14 collective bargaining laws and regulations.

15 (b) The remedies provided in this chapter are in addition to
16 any remedy provided under any other law. This chapter does not
17 relieve any person from any liability, duty, penalty, or punishment
18 provided by any other law.

19 (c) Notwithstanding Subsection (b), an employee's payments
20 of workers' compensation shall be reimbursed from compensation paid
21 under this chapter if an employee receives workers' compensation
22 under this chapter and Subtitle A, Title 5:

23 (1) for medical costs for the same injury or illness;
24 or

25 (2) in cash payments for the same period the employee
26 is not working as a result of the compensable injury or illness or
27 the unlawful employment practice or abusive conduct.

1 SECTION 3. The change in law made by this Act applies only
2 to a cause of action that accrues on or after the effective date of
3 this Act. A cause of action that accrues before the effective date
4 of this Act is governed by the law in effect immediately before that
5 date, and that law is continued in effect for that purpose.

6 SECTION 4. This Act takes effect September 1, 2015.

Email: twic@governor.state.tx.us

Comments on The Texas Workforce System Strategic Plan FY 2016-FY 2023

Draft for Public Comment, 40 TexReg 4070, June 19, 2015

The Texas Council for Developmental Disabilities (TCDD) appreciates the opportunity to provide comments on the Texas Workforce Investment Council (Council) strategic plan which covers the next eight years. The mission of TCDD is to create change so that all people with disabilities are fully included in their communities and exercise control over their own lives.

The following comments on the plan are based on recognition of two principles: First, Texas is an “Employment First” state. Senate Bill 1226, 83rd Texas Legislature, Regular Session, 2013, established employment as the first and preferred option for working-age Texans with disabilities and the expectation that individuals with disabilities are able to meet the same employment standards, responsibilities, and expectations as other working-age adults (Texas Government Code Section 531.02448(a)). “Employment First” is an approach to facilitating the full inclusion of individuals with disabilities in the workplace. This approach states that integrated, competitive employment should be the first option considered for individuals with disabilities and should be the expected outcome of education and publicly-funded services for working-age youth and adults.

As the following excerpt from the bill suggests, the goals and objectives of employment first are complementary to the overarching goals and objectives of the strategic plan:

Sec. 531.02447 (b). The Health and Human Services Commission (HHSC), the Texas Education Agency (TEA), and the Texas Workforce Commission (TWC) shall jointly adopt and implement an employment-first policy in accordance with the state’s policy under Subsection (a). The policy must:

- (1) affirm that an individual with a disability is able to meet the same employment standards as an individual who does not have a disability;
- (2) ensure that all working-age individuals with disabilities, including young adults, are offered factual information regarding employment as an individual with a disability, including the relationship between an individual’s earned income and the individual’s public benefits;
- (3) ensure that individuals with disabilities are given the opportunity to understand and explore options for education or training, including postsecondary, graduate, and postgraduate education, vocational or technical training, or other training, as pathways to employment;
- (4) promote the availability and accessibility of individualized training designed to prepare an individual with a disability for the individual’s preferred employment;
- (5) promote partnerships with employers to overcome barriers to meeting workforce needs with the creative use of technology and innovation;

(6) ensure that the staff of public schools, vocational service programs, and community providers are trained and supported to assist in achieving the goal of competitive employment for all individuals with disabilities; and

(7) ensure that competitive employment, while being the priority and preferred outcome, is not required of an individual with a disability to secure or maintain public benefits for which the individual is otherwise eligible.

The second principle is that as the state workforce development board under the federal Workforce Innovation and Opportunity Act of 2014 (WIOA), the Texas Workforce Investment Council (Council) is in a unique position to facilitate the implementation of the state's employment first policy. TCDD supports those parts of the strategic plan that explicitly speak to the employment needs of people with intellectual and developmental disabilities and encourages further focused acknowledgement of this segment of the workforce.

It should be noted that the collaborative infrastructure for supporting the Texas Workforce System partners currently exists in the statutorily mandated Employment First Task Force, whose members include the Texas Workforce Commission, the Health and Human Services Commission (as well as component members in the Department of Assistive and Rehabilitative Services, the Department of Aging and Disability Services, and the Department of State Health Services), and the Texas Education Agency. The group includes representatives of advocacy and nonprofit organizations with expertise in employment issues affecting people with disabilities.

The Council is encouraged to involve the Employment First Task Force in its activities and efforts related to workforce education, workforce training, and related services, to ensure that the state's employment first policy is an integral part of the rollout of initiatives and partnerships benefitting Texans system wide. Ideally the same abundance of opportunities and benefits that have been designed to assist nondisabled Texans will, with focus and collaboration, become available to disabled Texans as well. Given the long period before the strategic plan is revised (even taking into account the review at the four-year point) as well as the rapidly evolving landscape for jobs in Texas, the Council is urged to consider making relevant adjustments to the plan now. Some suggestions for revisions follow.

Statutory Charge for a Single Texas Workforce System Strategic Plan

Recommendation: On page 6, it would be clarifying to state that consistent with federal and state law, a single plan means that all working-age Texans, regardless of disability status, are included in all aspects of the system strategic plan.

The Workforce System Plan Architecture

Overarching Strategic Imperatives

Recommendation: On page 9, a statement that the strategic imperatives are applicable to all Texans, including veterans, people with disabilities, and other under-represented groups, would help to clarify state policy with respect to inclusion and integration.

Goal Area 1: Focus on Employers

System Objective: Increase business and industry involvement.

On page 21 of the draft plan, it is stated, “Enhanced outreach can attract potential workers from under-represented groups such as veterans and people with disabilities.” The list of related strategies includes “Expand outreach programs to employers to assist veterans to find quality employment” but a corresponding strategy for people with disabilities is not included.

Recommendation: Add an outreach strategy targeted to people with disabilities. In addition to actions like some of those listed in the strategy for veterans, outreach strategies for people with disabilities could include the education of potential employers on issues such as prevention of bullying and protection of rights. By promoting sensitivity to these type of issues, outcomes of employment experiences will be optimized for both the employee and the employer.

In keeping with the impending transfer of vocational rehabilitation from DARS to TWC, the lead Partner Agency would be TWC. As a result of legislation passed in the 84th Session, TWC has also been named the agency responsible for the state use purchasing advisory council and would be able to provide outreach and guidance in that context as well.

Goal Area 2: Engage in Partnerships

System Objective: Expand partnerships with system partners and stakeholder to promote collaboration, joint planning, and enhanced participant outcomes.

Recommendation: The following strategies are particularly apt for the explicit inclusion of people of disabilities:

Improve rehabilitation employment outcomes by establishing additional partnerships with secondary and postsecondary entities and employers.

Create greater access and effective services by promoting collaboration and regional planning.

Goal Area 3: Align System Elements

System Objective: Improve and enhance services, programs, and policies to facilitate effective and efficient transitions.

Recommendation: On page 41, please amend the strategy as follows:

Enhance transition services for students and youth with disabilities to **integrated, competitive** employment or postsecondary education and training then **integrated, competitive** employment.

Recommendation: On the same page, please amend the second performance measure as follows:

- Percent of students and youth with disabilities who participated in transition services and subsequently entered **integrated, competitive** employment.

Goal Area 4: Improve and Integrate Programs

System Objective: Employ enhanced or alternative program and service delivery methods.

Recommendation: On page 47, please amend the second performance measure as follows:

- Total number and percentage of consumers served with intellectual and developmental disabilities, mental health conditions, autism, ~~or and~~ deaf-blindness who subsequently enter **integrated (community), competitive** employment

Measuring Performance—Plan Implementation and System Outcomes

Formal Measures

Recommendation: On page 49, in the second paragraph, please make the following change to the second bullet:

- Entered **integrated, competitive** employment

Thank you for the opportunity to comment on this important plan. We appreciate the inclusion of people with disabilities in all aspects of the system plan for employment in Texas. Please contact me if I can provide additional information or be of other assistance.

Sincerely,

Linda Logan, MPAff

Texas Council for Developmental Disabilities

512/803-9968

linda.logan@tcdd.texas.gov

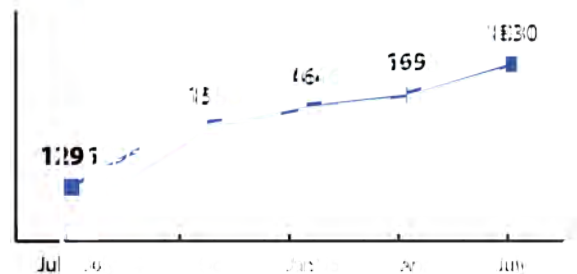
Public Information Report		Tab 18
<p><u>Background:</u></p> <p>A report of recent public information activities is included for the Committee’s review.</p> <p>Discussion topics include:</p> <ul style="list-style-type: none"> • Social Media <ul style="list-style-type: none"> ○ Father’s Day Facebook post ○ Executive Director hiring announcement • Understanding Employment Options and Supports RFP announcement • Materials Order Requests 		
<p><u>Committee of the Whole</u></p> <p><u>Agenda Item 8.</u></p>	<p><u>Expected Action:</u></p> <p>The Committee will receive an update regarding recent public information activities and provide guidance as needed. No action is anticipated.</p>	
<p><u>Council Meeting</u></p> <p><u>Agenda Item 11. B.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will receive a report of Committee discussions on this item. No action is anticipated.</p>	

TCDD Public Information Report

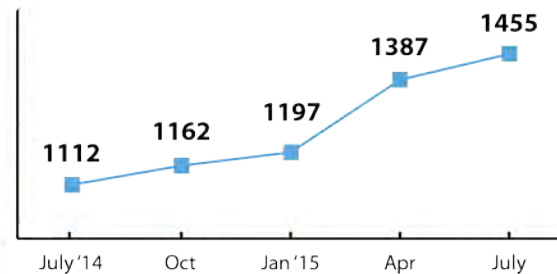
August 2015

Social Media

Facebook Fans



Twitter Followers



Top Facebook posts



ABLE ACT TO ALLOW PEOPLE WITH DISABILITIES TO SAVE FUNDS W/O LOSING MEDICAID

The 84th Texas Legislature passed bill that will establish the Texas Achieving Better Life Experience (ABLE) Program. The new program – known more widely as the ABLE Act – will allow people with disabilities and their families to save private funds for disability-related expenses without losing Medicaid eligibility.

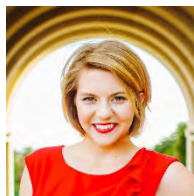
Reach: **6,174**; Post clicks: **346**; Likes, comments & shares: **274**



SECURITY CAMERAS APPROVED FOR USE IN SELF-CONTAINED CLASSROOMS

In an effort to improve safety for students who receive special education services in self-contained classrooms, the Texas Legislature passed law permitting the use of security cameras in the classrooms. The law requires security cameras to be installed if requested by parent, school board trustee, or staff member.

Reach: **3,190**; Post clicks: **192**; Likes, comments & shares: **171**



TCDD WELCOMES NEW PUBLIC POLICY ASSISTANT

TCDD is excited to announce the newest addition to our team, Ashley Ford, Public Policy Assistant. Ford earned her bachelor's degree from Texas State University and she served as legislative intern during the 83rd Legislative Session. Ford officially joined TCDD on May 1, 2015.

Reach: **3,154**; Post clicks: **430**; Likes, comments & shares: **264**



1 SCHOOL DISTRICTS ACCUSED OF VIOLATING IDEA

A complaint that was filed on behalf of students with disabilities accuses 1 school districts and the Texas Education Agency (TEA) of violating the Individuals with Disabilities Education Act (IDEA). The complaint accuses the school districts of failing to give students with disabilities individualized education services.

Reach: **3,026**; Post clicks: **299**; Likes, comments & shares: **103**

Reach: the number of unique people who received impressions of Page post

Post Clicks: the number of times a person clicks anywhere on post (image, video, link, "See More")

Likes, Comments & Shares: the sum of all likes, comments and shares on post

Father's Day on Facebook

For Father's Day, the TCDD Facebook page featured family photos submitted by some of the TCDD dads.



Andrew Crim & family



Scott McAvoy & family



John Thomas & family

Other Social Media Notes

- **New record:** The ABLE Act post on Facebook set a TCDD record for reach. The post reached over 6,000 people, while the previous record reached about 4,500 people.
- **Top posts:** All five of TCDD's top Facebook posts of all time – in terms of people reached – have been in 2015.

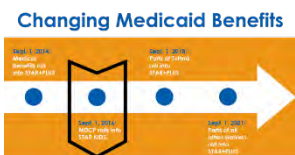
Website Posts & Articles



Sunset Update: Health & Human Services Agencies

June 11, 2015

The Sunset Advisory Commission's recommendations regarding the state's five largest health and human services agencies were included in bills that were considered by the 84th Texas Legislature.



Update: Transition to Managed Care

June 18, 2015

If they haven't yet, many Texans with disabilities will transition from traditional Medicaid to managed care and how they receive their health care could change. Learn more about the upcoming changes.



RFP: Understanding Employment Options and Supports

June 26, 2015

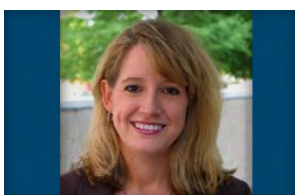
TCDD issued an RFP to fund one organization to develop effective training and information to help people understand ways to retain supports while employed in the community.



RFP: Policy Fellows Needed to Impact Advocacy

June 26, 2015

TCDD issued an RFP to fund up to two organizations to hire and support a full-time Policy Fellow. Fellows will develop a deep understanding of policy and build skills to promote self-determination and self-advocacy.



TCDD Selects Beth Stalvey to Lead Organization

July 8, 2015

The Texas Council for Developmental Disabilities (TCDD) is pleased to announce the selection of Beth Stalvey as the organization's new Executive Director. Stalvey has extensive experience working to improve the lives of people with developmental disabilities (DD) and working with DD Councils.

Information Requests & Distribution

E-newsletter: The e-newsletter, *TCDD Connection*, was distributed on April 23 to 875 contacts and on July 1 to 863 contacts.

Emails: The following single-topic email blasts were issued:

- Budget Decisions o DADS & DARS
- Legislative Hearings: April 13-15
- Legislative Hearings: April 20-22
- Legislative Hearings: April 27-29
- Legislative Hearings: May 4-6
- Legislative Hearings: May 11-13
- Legislative Hearings: May 18-20
- RFP: Texas Faith Inclusion Network
- RFP: Policy Fellows Needed to Impact Advocacy
- RFP: Understanding Employment Options & Supports

I&R Requests: Staff responded to 53 requests for information and referral.

Materials Distributed

- People First Language Handout: 306
- Higher Ed Guide (English): 25
- The Next Step (DVD): 132
- BDR (English): 25
- BDR (Spanish): 25
- Every Member Matters: 22

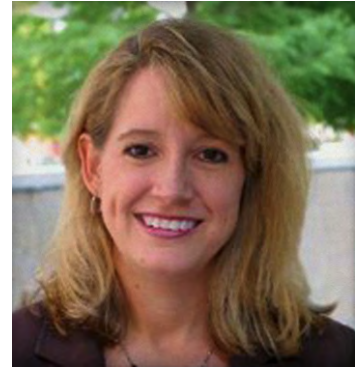
Note: Susan Fernbach, the Director of Genetic Outreach for the Baylor College of Medicine at Texas Children's Hospital, provides monthly talks about genetics and different types of disabilities. At the talks, Fernbach makes TCDD's People First Language handout available to people who attend. Fernbach ordered 100 in late April for the next round of talks.

TCDD Selects Beth Stalvey to Lead Organization

The Texas Council for Developmental Disabilities (TCDD) is pleased to announce the selection of Beth Stalvey as the organization's new Executive Director. Stalvey has extensive experience working with people with developmental disabilities (DD) and working with DD Councils.

Beth Stalvey, MPH, PhD, has dedicated the past 20 years to improving the lives of people with DD and older adults. She also has extensive experience working with DD Councils.

Stalvey began her human services career at the University of Alabama at Birmingham (UAB) where she researched the mobility needs of individuals with visual and cognitive impairments. In 2000, she moved to Texas to work as a Gerontologist with the Texas Department on Aging before moving to the Policy and Innovation Division of the Texas Department of Aging and Disability Services (DADS). While at DADS, Stalvey represented the agency at TCDD Council Meetings and, in 2005, she joined TCDD as the organization's Public Policy Director.



Stalvey left Texas in 2006 to move with her family to Atlanta, Georgia, where she served as the director of an aging and disability policy consultancy firm that worked with public, non-profit, private, and grassroots entities. She led initiatives on legislative education, advocacy strategies, and community capacity building for individuals with disabilities and their families. Through the firm, Stalvey also worked with TCDD and the Georgia DD Council. In 2010, she joined the North Carolina DD Council as a Policy Analyst, a position she held prior to her selection as TCDD's Executive Director.

"I am honored to have the opportunity to serve as TCDD's Executive Director," said Stalvey. "TCDD's mission is incredibly important and I look forward to working to improve the lives of Texans with disabilities."

Stalvey received both her doctoral and master's degree in Public Health from UAB. She received her bachelor's degree in Sociology and Gerontology from the University of North Carolina at Charlotte.

Stalvey will succeed Roger Webb, who served as TCDD's Executive Director from 1985-2015. She will officially start with TCDD on September 1, 2015.

Published date: July 7, 2015



RFP: Understanding Employment Options and Supports

The Texas Council for Developmental Disabilities (TCDD) issued a Request for Proposals (RFP) to fund up to one Texas organization to develop training and information for people with developmental disabilities (DD) and their families on ways to retain benefits from SSI/SSDI programs, waiver programs, and other formal and informal supports while increasing their income and assets through gainful employment with competitive positions in the community. The deadline to submit a proposal is August 26, 2015.

Background

TCDD invests in initiatives to expand employment options for Texans with DD so they can be fully included in their communities and exercise control over their own lives. While it is important to continue these efforts, it is also important to ensure that employed Texans with DD are able to realize the positive impacts of competitive employment without fearing the reduction or loss of some benefits due to a lack of information.

State agency personnel, advocates, and families continue to report that many individuals and families mistakenly believe adults with disabilities automatically lose all SSI/SSDI and health benefits when they start working. In some cases, this discourages individuals with DD from seeking employment. Others do not fully understand the impact that work has on SSI/SSDI benefits until their benefits are reduced. The Texas Department of Assistive and Rehabilitative Services (DARS) provides training about various options that allow individuals to retain SSI/SSDI benefits when working. However, DARS' capacity to train all those who may need this information is limited.

Providing targeted training and information to Texans with DD and their families should help people to understand that there are a variety of tools that may help them avoid the loss or reduction of public benefits. Also, experiences and insights gained by the organization that develops and conducts the training may be of assistance to service providers, state agencies, and policymakers.

About the RFP

TCDD hopes to fund one Texas organization to develop effective training and information. The trainings and information will be designed to increase the number of individuals with DD who retain their benefits from SSI/SSDI programs, waiver programs, and other formal and informal supports, while working in competitive positions in the community. The program established as a result of this RFP is expected to continue to be of benefit for a minimum of three-to-five years after grant funding ends.

The applicant should describe how its project will help people with disabilities overcome barriers to obtaining integrated competitive employment, especially barriers related to understanding how

benefits are affected by employment. For example, known obstacles are related to misinformation, lack of information, and the sometimes overly complex nature of information about benefits.

The majority of the organization's work should consist of determining, developing, and packaging presentation-style trainings and materials. "Presentation-style" means the information is provided in an engaging manner that includes, at a minimum, both visual and auditory components. At least one final packaged product must continue to be used after the conclusion of the grant and applicants must explain how the product(s) will be updated after funding has concluded.

Eligibility

Eligible grant applicants include public agencies, private not-for-profit agencies, schools, and private for-profit organizations. Grant applicants will be the organization that provides the administrative functions for the grants and should receive, disburse, and account for grant funds. Individuals are not eligible to be awarded a grant under this announcement.

Grant Funds Available

TCDD has made available up to \$150,000 per year, for no more than one organization, for up to two years. The second year is not automatically awarded. Organizations may collaborate on proposals, but no proposal will be awarded more than \$150,000. The organization receiving the grant may use the grant funds to:

- Hold a conference resulting in the creation of the product(s);
- Involve recognized experts, including self-advocates and family members with personal experience as well as professionals, in the creation and adaptation of the training and materials;
- Create and edit video/audio recordings as necessary;
- Provide necessary captioning, subtitles and translation into other languages; and
- Purchase available materials as appropriate.

Key Dates

Proposals are due to TCDD by 5 p.m. Central Standard Time on August 26, 2015. Late proposals will not be accepted. TCDD will notify proposers of decisions between November 9, 2015, and November 20, 2015. The earliest expected project start date is January 1, 2016 (this date may change).

More Information and Submitting a Proposal

More information, including the complete RFP, is available on the DD Suite website. Proposals for this RFP and all forms must be submitted using DD Suite.

Questions

If you have questions after reviewing the complete RFP, contact Joanna Cordry, Planning Coordinator, at Joanna.Cordry@tcdd.texas.gov or at 512-437-5410.

Council and Committee of the Whole Meeting Minutes		Tab 19
<p><u>Background:</u></p> <p>The Council will review the minutes from the May 8, 2015, Council meeting and May 7, 2015, Committee of the Whole meeting.</p>		
<p><u>Council</u></p> <p><u>Agenda Item 3. A.</u></p>	<p><u>Expected Action:</u></p> <p>The Council will review, revise as appropriate, and approve the minutes from the May meetings.</p>	

**COUNCIL MEETING
DRAFT MINUTES
MAY 8, 2015**

COUNCIL MEMBERS PRESENT

Mary Durham, Council Chair
Hunter Adkins
Kimberly Blackmon
Kristine Clark
Gladys Cortez
Kristen Cox
Andrew Crim
Elaine Eisenbaum, UT CDS

Mary Faithfull, DRT
Stephen Gersuk
Ivy Goldstein, DSHS
Barbara Kaatz, TEA
Jennifer Kaut, DARS
Penny Larkin, DADS
Ruth Mason
Scott McAvoy

Michael Peace
Brandon Pharris
Amy Sharp, A&M CDD
Cindy Swain, TEA
David Taylor
Lora Taylor
Rick Tisch
Nancy Walker, HHSC

COUNCIL MEMBERS ABSENT

Mateo Delgado
Diana Kern

Dana Perry
John Thomas

STAFF MEMBERS PRESENT

Roger Webb, Executive Director
Martha Cantu
Belinda Carlton
Joanna Cordry

Cynthia Ellison
Ashley Ford
Linda Logan
Jessica Ramos

Joshua Ryf
Koren Vogel

GUESTS PRESENT

Analee Chaumont

Shiloh Gonzales, DARS

Darryl Powell

CALL TO ORDER

The Texas Council for Developmental Disabilities convened on Friday, May 8, 2015, in the Salon A Ballroom of the Marriott Austin South Hotel, 441 South IH 35, Austin, TX 78745. Council Chair Mary Durham called the meeting to order at 9:01 AM.

1. INTRODUCTIONS

Council members, staff and guests were introduced.

2. PUBLIC COMMENTS

No public comments were offered to the Council. Council Vice-Chair Kristen Cox raised the issue of Council member absences and asked if there was a way to differentiate between a reported absence and an excused absence. Project Development Committee Chair Gladys Cortez reported that this issue was discussed during that Committee meeting and it was noted that there was no action that could be taken even if a member has a significant amount of unexcused absences because members serve at the will of the Governor. It was suggested that a group of members could be appointed to contact members who are consistently absent and encourage their attendance.

3. CONSENT ITEMS

Chair Durham recommended approval of the consent items for the meeting which include the minutes of the February 6, 2015, Council meeting and the February 5, 2015, Committee of the Whole meeting as well as the excused absences of Mateo Delgado, Dana Perry and John Thomas.

Chair Durham noted that she also received notification from Diana Kern, who has been serving in a holdover capacity since the end of her term in February 2015, that she is no longer able to serve or attend meetings due to health issues.

MOTION: To approve the minutes of the February 6, 2015, Council meeting and February 5, 2015, Committee of the Whole meeting as well as the excused absences as noted.

MADE BY: Mary Durham

SECOND: Lora Taylor

The motion **passed** unanimously.

4. CHAIR'S REPORT

Chair Durham discussed the NACDD conference and AIDD Technical Assistance Institute to be held July 21-23, 2015, in Sparks, NV. TCDD Planning Coordinator Joanna Cordry and Communications Coordinator Joshua Ryf will attend along with Council members Michael Peace and Lora Taylor. As members of the Executive Committee, Peace and Taylor may attend training for Council leadership in addition to other conference activities.

5. EXECUTIVE DIRECTOR'S REPORT

Executive Director Roger Webb provided a brief update of TCDD Sunset legislation noting that HB 167 to continue TCDD as an agency was passed from the Senate Health and Human Services Committee and is waiting to be heard by the full Senate.

Webb provided updates on TCDD staff and noted that an updated staff organization chart was included in meeting handouts. Ashley Ford was recently selected as Public Policy Assistant and began that position on May 1, 2015. Interviews have been conducted and a selection is pending for the newly created position of Planning Specialist. This staff member will assist Planning Specialist Cordry with RFP development, state plan activities, federal reporting and other duties. Webb also noted that Grants Management Director Sonya Hosey has been out on medical leave since February, working from home part-time as she can and hopes to return to the office soon.

Webb reported that the final notice of grant award for FY 2015 was received in the amount of \$4,742,116. This was approximately \$61,000 less than FY 2014 even though TCDD expected a slight increase based on congressional appropriations. Webb and other state executive directors questioned AIDD on this but have been assured that the formula to determine each state's allotment was applied appropriately. This may be revised in the future specifically regarding the "hold harmless" provision.

Webb expressed his appreciation for the recognition activities celebrating his upcoming retirement.

6. PRESENTATION: TEXAS ABLE ACT

TCDD Public Policy Director Jessica Ramos presented information on the Texas ABLE (Achieving a Better Life Experience) Act. She noted that federal law has established flexible tax-free savings accounts for people with disabilities to cover qualified expenses and the state must now pass legislation to enact ABLE accounts. SB 1664 by Perry will establish 529-like savings accounts for

qualified individuals with disabilities under the umbrella of the Texas Tomorrow Fund. These accounts allow independence for the account owner to accumulate savings of up to \$100,000 to be used for certain expenses and still maintain Medicaid eligibility.

7. FY 2012- FY 2016 STATE PLAN AMENDMENTS

Council Chair Durham reviewed the Committee of the Whole discussion and action regarding revisions to the FY 2012 – FY 2016 State Plan Goals and Objectives.

MOTION: To accept revisions to the FY 2012 – FY 2016 State Plan Goals and Objectives as presented.

MADE BY: Mary Durham for the Committee of the Whole (motions from Committee do not need a second)

The motion **passed** unanimously. (Attachment 1)

8. EXECUTIVE COMMITTEE REPORT

Executive Director Webb reviewed the Independent Audit Status Report and Grants Monitoring Exceptions Report noting that no concerns were found with either report. No concerns were noted with the Risk Assessments of grant projects that were considered for continuation grant funding.

Webb reported that four stipends were approved during the previous quarter and are available for review in the meeting materials. No new grant projects were approved this quarter by the Executive Committee. The Executive Committee approved continuation funding for Educational Solutions Inspiring Communities (Enabling Technology), Strategic Education Solutions (Enabling Technology), Imagine Enterprises (Self-Advocates as Speakers), Coalition of Texans with Disabilities (Developmental Disabilities Policy Fellows), Epilepsy Foundation of Texas (Health and Fitness), and Region 1 Education Service Center (Family Involvement in Schools). Additional information was provided in a handout and four projects will be considered for continuation funding at the August Executive Committee meeting.

TCDD Operations Director Martha Cantu reviewed the TCDD Quarterly Financial Report noting that minimal funds from FY 2014 need to be obligated to grant projects by September 30, 2015. The balance of remaining FY 2015 funds will be available for projects through FY 2016. Cantu also noted that the deficit reflected on the report for FY 2016 can be managed with savings in operating expenses this year and with funds budgeted but not needed by some grant projects. Cantu reported that 46% of operating expense funds have been spent for FY 2015 at the half-way point of the fiscal year and there are no concerns that TCDD will stay within the budget.

The Executive Committee reviewed the staff and Council member Conflict of Interest Disclosure reports and no concerns were noted. Members were reminded to update their information as appropriate.

9. PROJECT DEVELOPMENT COMMITTEE REPORT

Project Development Committee Chair Gladys Cortez reported on Committee discussions including a letter from Project SAVE (Texas Advocates) requesting additional leadership development and advocacy skills training projects with a specific focus on state supported living center residents. TCDD staff response noted that Texas Advocates would be eligible to apply for future projects and

the idea could be considered as an activity during the development of the FY 2017 – FY 2020 State Plan.

As background development for future leadership and advocacy training projects, staff are discussing options for modifying the Partners in Policymaking program with Colleen Wieck, Minnesota DD Council Executive Director who developed the national PIP training program model.

Committee members Cindy Swain and Manda Hall discussed the upcoming Texas Parent to Parent Conference and Swain also discussed a 2-day stakeholder meeting on secondary school transition activities.

Cortez reported that she attended the most recent kick-off activity for Project HIRE and that DARS plans to expand that project to other areas, starting in El Paso.

10. PUBLIC POLICY COMMITTEE REPORT

Public Policy Committee Chair Lora Taylor reported that the Committee received updates on current legislation, Community First Choice options, Employment First taskforce, CARE Act and the possibility that the Biennial Disability Report may no longer be required in statute pending legislative outcome.

Public Policy Director Ramos and HHSC representative Nancy Walker further discussed the Community First Choice option that will create an entitlement program for people with intellectual and developmental disabilities for attendant and habilitation services and is expected to begin June 1, 2015.

11. ANNOUNCEMENTS AND UPDATES

Council members discussed dates of future meetings August 5-7, 2015, at the Embassy Suites in San Marcos as well as November 4-6, 2015, February 3-5, 2016 and May 4-6, 2016.

ADJOURN

Council Chair Durham adjourned the meeting at 10:15 AM.

Roger A. Webb
Secretary to the Council

Date

Attachments

**TCDD FY2012 – 2016 State Plan:
Progress in Year 3 (FY 14) and Suggested Next Steps**

Goal 1: Build collaborations within at least one geographic region served by an Education Service Center (ESC) to demonstrate ways to create measurable improvement in at least two identified indicators of educational success for students with developmental disabilities by 9/30/16.		
Objective	Status as of 9/30/2014	Suggested Next Step(s)
<i>Original Objective 1, deleted in FY 14 plan: Evaluate achievements of Project IDEAL relative to the impact the program might have on the identified indicators of educational success and determine next steps by 2/28/14.</i>	Project IDEAL 6/1/07 – 9/30/12 www.projectidealonline.org continued to be maintained and was reportedly still useful in FY 14. TCDD's funding for this project was completed 9/30/12.	<i>NONE - Objective deleted following decision not to spend additional funding on evaluation of Project IDEAL.</i>
Objective 1 Identify two indicators of educational success and key criteria to solicit interest from organizations for partnering on activities in a region, by 9/30/12.	Completed in FY 2012.	Continue to monitor data from Region 17 and Texas.
Objective 2 In the selected ESC region, provide training and/or intervention to support active engagement by at least one family member for every four students who have developmental disabilities, by 9/30/16.	One grant project: Region 17 Education Service Center Families in Schools 6/1/13 - 5/31/18	Continue to monitor, provide technical assistance as needed, and evaluate.
Objective 3 Review state policy initiatives related to the use of positive behavioral interventions and support (PBIS) in schools and the outcomes of TCDD PBIS projects in Region 17 and determine next steps by February 28, 2014.	In FY 13, language was included in SB 460 that was informed in part by work done through PBIS projects. Following the session, TCDD asked staff to promote widespread use of PBIS. Staff worked with Disability Rights TX, The Arc of TX, EveryChild, Inc., and Easter Seals on a LAR recommendation to increase the availability of PBIS; were quoted in a Texas Tribune article (8/9/13) on mental health interventions; and worked with a member of the State Board of Education to explore adding PBIS and related services to the administrative code of services that school districts may provide in a mainstream setting.	Objective completed. Consider language changes to the Activities under this Objective to reference continued staff work to support widespread use of PBIS.

Goal 2: Establish at least two programs that assist Texans with developmental disabilities to gain competitive employment and/or to increase their personal income and assets, and that continue to operate after the completion of a maximum of 3-5 years of TCDD funding, by 9/30/16.

Objective	Status as of 9/30/2014	Suggested Next Step(s)
<p><u>Objective 1</u> Implement a program that provides supports and on-the-job learning opportunities to students with developmental disabilities in a post-secondary program that results in at least 80 percent of students who participate for two or more years in the program gaining jobs related to their desired careers within six months of completing their education, by 3/31/16.</p>	<p>Three grant projects continued to be on track to achieve success and are receiving a significant attention:</p> <p>DARS Project Hire 1/1/2012-12/31/2016</p> <p>Texas Tech Project CASE 10/1/2011-9/30/2016</p> <p>Texas A&M Bridge to Career in Human Service 1/1/2012-12/31/2016</p> <p>DARS may expand Project HIRE to other regions. Additionally, staff from legislative offices have expressed interest in promoting Higher Ed options for students with disabilities, and Sunset Commission staff noted the promise of Project HIRE in their report on DARS.</p> <p>Advocates discussed strategies to develop other college programs and create a network of such programs.</p> <p>TCDD Public Policy staff recommended that the Higher Education Coordinating Board catalog opportunities for higher education for people with IDD.</p>	<p>Continue to monitor, provide technical assistance as needed, and evaluate.</p> <p>Consider collaborating with state agencies and boards to develop a high-quality evaluation of the three projects (and possibly others), to include an exploration of whether the models used are likely to be as successful if implemented in other parts of the state.</p> <p>Explore providing funds to develop infrastructure for a network of Higher Education programs.</p>
<p><u>Objective 2</u> Develop and implement a plan to demonstrate to employers, people with developmental disabilities, and/or family members how available assistive technology can increase job performance and employment options, by 3/31/16.</p>	<p>Two grant projects continued to be on track to achieve success:</p> <p>Strategic Educational Solutions Virtual Job Coach 4/1/12 – 3/31/17</p> <p>Educational Programs Inspiring Communities, Inc. Application to take inventory 3/1/12-2/28/17</p> <p>Council members Andy Crim, Scott McAvoy, and John Morris have assisted staff in reviewing the projects' progress.</p>	<p>Continue to monitor, provide technical assistance as needed, and evaluate.</p>

Goal 2: (Continued)		
Objective	Status as of 9/30/2014	Suggested Next Step(s)
Objective 3 Partner with other organizations to expand and evaluate the impact of Project SEARCH in Texas, by 9/30/16.	One grant project continued to be on track to achieve success: Admin Support for Project SEARCH Texas Tech 10/1/2012 – 9/30/2017	Continue to monitor, provide technical assistance as needed, and evaluate.

<p>Objective 4 Each year, advocate for legislative and/or policy change to increase the assets a person receiving SSI and/or Medicaid can retain without losing benefits and to remove other policy-related barriers to full-time or part-time employment.</p>	<p>TCDD approved the Executive Summary “Understanding Employment Options and Supports” for a grant project to develop training materials to help families understand various supports related to employment and benefits 10/ 25/13.</p> <p>TCDD staff participated on the DADS IDD Workgroup which discussed HCS waiver amendments related to supported employment and employment assistance.</p> <p>TCDD Executive Director chaired the Employment First Task Force which completed and submitted its first required report to the TX Legislature in Fall 2014.</p> <p>TCDD staff conducted a TETN presentation on Disability and Employment Law: Practical Information for Job Applicants with Disabilities, watched by people at 20 Regional Education Services Centers; and co-presented a webinar entitled “Social Media, Disabilities, and Employment Protections” through the UNT WISE program for 31 participants (primarily vocational rehabilitation counselors).</p>	<p>Consider adding an Objective to reference “Understanding Employment Options and Supports” project.</p> <p>Continue to participate in advocacy efforts.</p>
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Goal 3: Conduct ongoing educational campaigns in collaboration with community leaders, organizations, and businesses to enable them to better support, include, and/or provide services to people with developmental disabilities by 9/30/2016.

Objective	Status as of 9/30/2014	Suggested Next Step(s)
<p><u>Objective 1</u> Develop, implement, and evaluate at least two targeted educational campaigns to increase awareness of specific issues and/or to reduce stigma that may negatively impact the life of a person who has a developmental disability, by 9/30/14.</p>	<p>TCDD selected “Accessible Parking” as the first campaign topic. Access Empowerment and Travis County received \$40,000 grants for 6 months (1/1/14 – 6/30/14) to develop strategic public awareness plans. Neither organization was approved for funding for Phase 2. An appeal from Travis County is pending.</p>	<p>Discuss outcomes, lessons learned, and next steps from the Accessible Parking campaign effort.</p> <p>Begin discussion of possible topic for second educational campaign or determine if the State Plan should be amended to reflect only one campaign.</p>
<p><u>Objective 2</u> Provide increased level of support to TCDD during legislative sessions as needed to implement communication activities and to provide information requested by members of the legislature and/or the media.</p>	<p>Not applicable (there was no legislative session in FY 14.).</p>	<p>No action recommended. The 84th session of the Texas Legislature begins January 2015.</p>
<p><u>Objective 3</u> Provide information and/or technical assistance to at least four organizations that promote general community development, so that they may better include, support, and address the needs of community members who have developmental disabilities by 9/30/16.</p>	<p>Staff continued to work with Circle of 10, OneStar Foundation, and West Central Texas Regional Foundation. TCDD is also exploring the possibility of partnering with the Center for Elimination of Disparities and Disproportionality.</p> <p>Staff provided training on “Volunteers with Disabilities – Legal Aspects of Disability Inclusion” for the OneStar Foundation Advanced Disability Inclusion Training.</p>	<p>Continue to work with organizations, as needed and appropriate, to help them better understand how to include people with developmental disabilities.</p>

Goal 3 (Continued)		
Objective	Status as of 9/30/2014	Suggested Next Step(s)
<p>Objective 4 Work with others to provide information to at least 200 community organizations and/or businesses to better support inclusion of people with developmental disabilities more fully by 9/30/16.</p>	<p>Four “Inclusive Faith-Based Communities” grantees continued to assist faith-based communities to better include people with IDD:</p> <p>OneStar Foundation 2/1/12-1/31/15</p> <p>West Central Texas Regional Foundation 2/1/12-1/31/15</p> <p>Arc of Greater Tarrant County 5/1/12-4/30/15</p> <p>Jewish Family Services of Dallas 3/1/12-4/30/15</p> <p>TCDD contracted with an expert on disability inclusion in faith-based environments to provide technical assistance to these grantees. TCDD staff also facilitated a connection between this expert and chaplains at Texas SSLCs.</p> <p>TCDD awarded at least 7 stipends to support approximately 22 speakers (on disability issues) at conferences.</p> <p>Other forms of technical assistance were requested of TCDD staff by community organizations and were provided as staff were able. For example, staff were invited to present at the Austin Human Resources Management Association.</p> <p>TCDD Executive Committee discussed the benefits of offering resources to organizations to translate certain materials into other languages.</p>	<p>Consider “next steps” for this effort.</p> <p>Continue to offer stipends.</p> <p>Consider re-writing Goal 3 activities to also include forms of technical assistance other than materials provision.</p> <p>Develop policies and procedures to allow organizations to request assistance to translate certain resources to other languages.</p>

Goal 4: In at least one Health and Human Service (HHS) region, increase the percentage of people with developmental disabilities surveyed who report they have access to the transportation they need to participate in their community in the manner they wish, by 9/30/16.

Objective	Status as of 9/30/2014	Suggested Next Step(s)
<p>Objective 1 Partner with disability advocacy groups, public transportation advocacy groups, and/or leadership and advocacy training programs to increase the number of individuals with disabilities who serve on transportation planning entities and are active in transportation planning by 9/30/15.</p>	<p>In October 2013, the Project Development Committee approved an Executive Summary for a project to build the capacity of local communities to improve transportation in their areas. This activity was ranked as a lower priority than other projects; the RFP has not yet been posted.</p>	<p>Consider amending the objective to reflect the intended project if necessary.</p> <p>Post RFP.</p> <p>Track activity and share information around the expiration of MAP-21 (MAP-21 is federal legislation that dictates how much the country will spend on transportation) in the Fall of 2014.</p>
<p>Objective 2 Build the capacity of at least four local organizations in the selected Region to provide transportation training to people with developmental disabilities by 9/30/16.</p>	<p>In October 2013, the Project Development Committee approved an Executive Summary for a project to build the capacity of local communities to improve transportation in their areas. This activity was ranked as a lower priority than other projects; the RFP has not yet been posted.</p>	<p>Same as above.</p>

Goal 5: Demonstrate how to prevent unnecessary admissions to State Supported Living Centers (SSLC) by supporting community organizations in at least 1 HHS Region to increase their capacity to provide community-based services that support people with developmental disabilities to improve and maintain their health and to have access as needed to necessary healthcare, behavior supports, and/or respite, by 9/30/16.

Objective	Status as of 9/30/2014	Suggested Next Step(s)
<p>Objective 1 Determine evaluation methodology and gather baseline data.</p>	<p>Building Community Capacity through Collaboration (BC3) projects funded to work in East Texas (Region 4), West Texas (Region 1), Far West Texas (Region 10) and the Gulf Coast (Region 6).</p>	<p>Continue as planned. Record baseline data for Regions using Core Indicators and SSLC admissions.</p>
<p>Objective 2 Provide funding to enable at least 10 organizations working in the target region(s) to implement plans that will increase their capacity to provide healthcare services, behavior supports, and/or respite to support people with developmental disabilities living in the community by 9/30/16.</p>	<p>Five BC3 grantees developed and submitted strategic plans for Phase 2 funding:</p> <p>Circle of 10 (Region 6) Phase 1 1/1/13 – 8/31/14</p> <p>TX Tech (Region 1) Phase 2 1/1/14 – 12/31/18</p> <p>Volar CIL (Region 10) Phase 2 10/1/14 – 9/30/19</p> <p>Community Healthcore (Region 4) Phase 2 9/1/14 – 8/31/19</p> <p>East Texas Center for Independent Living (Region 4) Phase 1 1/1/13 – 2/28/14</p> <p>The Gulf Coast of TX African American Family Support Conference project hosted a conference, provided Mental Health First Aid training to clergy, and held a one hour education and awareness discussion on Facebook.</p> <p>TCDD staff worked with the TX Hogg Foundation for Mental Health to support pastors of African American Churches to educate congregants about mental health. The Hogg Foundation awarded \$850,000 to help 10 African American churches educate congregants.</p>	<p>Continue reviewing proposals for Phase 2 activities and consider funding requests.</p> <p>Continue to monitor, provide technical assistance as appropriate, and evaluate.</p> <p>Evaluate processes and lessons learned from two-phase project design.</p> <p>Determine if additional support is needed to establish sustainability.</p> <p>Determine if TCDD funding is needed to expand support for the Hogg Foundation's effort.</p>

Goal 5 (Continued)		
Objective	Status as of 9/30/2014	Suggested Next Step(s)
<p>Objective 3 Pilot at least 5 different strategies to support IDD and their families to be able to have increased control over their personal health and well-being by 9/30/16.</p>	<p>Volunteer-Supported Decision-Making Arc of San Angelo 4/1/11-3/31/14 <i>This project was extended six months in order for project staff to gather at least 10 personal stories that can be used in efforts to improve policies and practices around guardianship.</i></p> <p>Meaningful Relationships project: SafePlace 2/1/11-1/31/14 Final report received and to be used in public policy advocacy</p> <p>“Health and Fitness for People with Developmental Disabilities” SILC 4/1/12-3/31-17</p> <p>“Any Body Can Wellness Program” Any Baby Can 3/1/12-2/28/17</p> <p>“Get Fit Texas” Epilepsy Foundation 4/1/12-3/31/17</p> <p>Gulf Coast of TX African American Family Support Conference Helpful Interventions 9/1/12-8/31/15</p> <p>An Executive Summary for Culturally Competent Family Supports was approved 5/3/13.</p> <p>Staff developed “Tools for Self-Advocates for Healthcare” that was provided to HHSC and shared with others.</p> <p>Disability Rights TX, The Arc of TX, EveryChild, Inc., Texas Advocates, and Easter Seals provided LAR recommendations to fund activities for self-advocates to be empowered to have control over their healthcare. TCDD also provided rule comments recommending the use of peer support in HCBS settings.</p>	<p>Continue to monitor, provide technical assistance to projects as needed, and evaluate.</p> <p>Consider further investigation of the need for education for people with developmental disabilities around sexual health, including surviving sexual assault (self-advocates have requested this type of resource).</p> <p>Post RFP for Culturally Competent Family Supports.</p> <p>Consider encouraging agencies to implement a health empowerment project that would provide training to people with developmental disabilities to take greater control over their health care, incorporating insight gained through the health and fitness projects and the resources provided in the “Tools...” document.</p> <p>Consider promoting Peer Support as a Medicaid service.</p>

Goal 5 (Continued)		
Objective	Status as of 9/30/2014	Suggested Next Step(s)
<p>Objective 4</p> <p>Each year of the plan, advocate for reallocation and/or more efficient use of existing resources, necessary policy changes, and/or increased funding to enable individuals with developmental disabilities to access necessary healthcare services, behavioral supports, and respite in the communities in which they wish to live and to prevent unnecessary institutionalization.</p>	<p>Public Policy staff participated in numerous workgroups and advisory committees, offered testimony as appropriate, and provided information to legislative staff as requested. Workgroups included: DADS IDD System Improvement Workgroup; HHSC Children's Policy Council and Taskforce on Children with Special Health Care Needs; Community-based Services Interest List Stakeholders; ADRC & Lifespan Respite Services Advisory Committees; Council for Children and Families; HCS Medical Advisory Committee; Board of Nursing Delegation Task Force; the Traumatic Brain Injury Advisory Committee; and the Employment First Task Force. Staff are also engaged in meetings with managed care providers and have had requests from at least two legislative offices to provide information on managed care.</p> <p>Staff worked with Disability Rights TX, The Arc of TX, EveryChild, Inc., Texas Advocates, and Easter Seals on LAR recommendations to engage in comprehensive capacity building of community services, to add intervener services, ABA, hospital level care, and family-based residential supports to all waivers, and to raise the cost cap for waivers.</p> <p>TCDD, as a part of a DD Network Partners Collaboration, is enabling staff of State Supported Living Centers and state agencies to become Person Centered Thinking Certified Trainers.</p>	<p>Continue and track efforts.</p>

Goal 5 (Continued)		
Objective	Status as of 9/30/2014	Suggested Next Step(s)
<p><u>Objective 5</u> Beginning in FY13, develop opportunities to partner with people who have developmental disabilities, families, providers, medical schools, licensing and certification boards, agencies, and/or community-based organizations to provide or develop training and/or practice guidelines that include knowledge related to disability and incorporate components of successful TCDD projects.</p>	<p>TCDD staff have explored the following projects:</p> <ul style="list-style-type: none"> • training for medical personnel • increasing availability of appropriate dental services • adapting Mental Health First Aid training to address how mental health needs may present in people with developmental disabilities <p>Staff are currently exploring initiative(s) to train attorneys, doctors, and other professional staff about alternatives to guardianship.</p> <p>Staff developed “Tools for Medical Professionals and Managed Care Organizations” that was provided to HHSC and others, including managed care organizations. Staff also provided the FL DD Council’s “health passport” to MCOs prior to expansion of managed care. People with Intellectual or Developmental Disabilities will receive help to fill it out.</p>	<p>Continue to gather information to present to the Project Development Committee.</p> <p>Continue to review other relevant grant projects in progress and projects that are completed to determine which resulted in information or models that should be disseminated.</p>
<p><u>Objective 6</u> Evaluate and share broadly the outcomes achieved and knowledge gained through the Alternatives to Guardianship/Supported Decision Making project.</p>	<p>The Alternatives to Guardianship project received a 6 month extension to gather personal stories to be used in advocacy work. In FY14, the Project Director was invited to speak at the World Congress on Guardianship.</p> <p>TCDD staff served on the Texas Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) and a stakeholders group (GSDM). GSDM developed policy recommendations around the guardianship system and revisions to the Texas Probate Code, including a Bill of Rights for wards, supported decision making agreements, and alternatives to guardianship. Their work has been shared in articles, presented to the Office of Court Administration; and provided to the Administration on Community Living. Guardianship Reform and Supported Decision Making selected as a TCDD Public Policy Priority for FY15.</p>	<p>Continue to work with others to develop and promote the use of alternatives to guardianship.</p> <p>Support efforts to train attorneys, doctors, and other professional staff about guardianship issues and alternatives to guardianship.</p>

Goal 5 (Continued)		
Objective	Status as of 9/30/2014	Suggested Next Step(s)
Objective 7 Collaborate with DD Network Partners, local I/DD authorities, and Texas State agencies to support successful transitions for individuals living in State Supported Living Centers who choose to move to an inclusive community.	TCDD contracted with Austin Travis County Integral Care to produce a video about individuals who transitioned from the Austin State Supported Living Center into the community. TCDD, as a part of a DD Network Partners Collaboration, is enabling staff of State Supported Living Centers and state agencies to become Person Centered Thinking Certified Trainers.	Continue efforts and consider new activities as appropriate.

Goal 6: Work with others to double the number of identified leadership development and advocacy training programs that are able to provide culturally appropriate training for people with developmental disabilities without ongoing grant funding from TCDD, by 9/30/2016.

Objective	Status as of 9/30/2014	Suggested Next Step(s)
<p><u>Objective 1</u> Each year of the plan, provide funding or technical assistance to establish and/or strengthen at least one program for the direct funding of a state self-advocacy organization led by individuals with developmental disabilities.</p>	<p>One grant project continued work: TX Advocates Project SAVE 3/1/12-2/28/15</p> <p>RFP posted for “Self-Advocate Community Organizing Project”; grantee expected to start in January or February of 2015.</p> <p>Staff worked with Disability Rights TX, The Arc of TX, EveryChild, Inc., the Texas Advocates, and Easter Seals on LAR recommendations to included funding for waiver participants to participate in a self-advocacy/self-determination curriculum that provides education and training on the history of the disability movement; self-determination; and self-advocacy.</p>	<p>Continue to monitor, provide technical assistance as needed, and evaluate.</p>
<p><u>Objective 2</u> Each year of the plan, support opportunities for individuals with developmental disabilities who are considered leaders to provide leadership training to individuals with developmental disabilities who may become leaders.</p>	<p>Two “Self Advocates as Speakers” projects:</p> <p>Imagine Enterprises 5/1/13 – 4/30/17</p> <p>VSA Texas 5/1/13 – 4/30/17</p> <p>Project SAVE (see above) and presenters stipends also meet Objective.</p>	<p>Continue to monitor, provide technical assistance as needed, and evaluate.</p>

Goal 6: (Continued)		
Objective	Status as of 9/30/2014	Suggested Next Step(s)
<p><u>Objective 3</u> Each year of the State Plan, support and expand participation of individuals with developmental disabilities in cross-disability and culturally diverse leadership coalitions.</p>	<p>TCDD continued to offer financial support for people with developmental disabilities to serve on boards, committees, and workgroups. In FY14, TCDD expanded the type of support offered, including support for technical assistance for self-advocates. For example, TCDD, the Arc of TX, EveryChild, and DRTx collaborated to host a welcome lunch for self-advocate members of a SB 7 workgroup and staff of these organizations have worked with self-advocate members individually to ensure that they are receiving any support needed. The Disability Policy Consortium sent a letter to HHSC noting that no member from the deaf-blind community had been appointed to the SB 7 Advisory Committee even though they had been very active. Following the letter, a family member was added.</p> <p>“Culturally Competent Family Supports” will include activities to identify and support people who identify with ethnic minority groups to become active leaders.</p>	<p>Determine how to evaluate whether leadership coalitions are “cross-disability and culturally diverse,” as expected by AIDD.</p> <p>Continue to explore specific support needs as workgroups are appointed.</p> <p>Post Request for Proposals for “Culturally Competent Family Supports.”</p>

Goal 6 (Continued)		
Objective	Status as of 9/30/2014	Suggested Next Step(s)
<p><u>Objective 4</u> Each year of the plan, support individuals who have developmental disabilities, their family members, and their allies to improve their skills related to self-advocacy, public advocacy, and leadership.</p>	<p>Staff monitored leadership development and advocacy grant projects: NAMI 2/1/12 – 7/15/14 Arc of Dallas 4/1/12-3/31/15 TAMU 6/1/12 – 5/31/15 Arc of Texas 3/1/12 – 2/28/15 TX Parent to Parent 2/1/11-1/31/16 SILC 2/1/12-1/31/15</p> <p>Public Policy Fellowships Arc of Texas 8/1/14 – 7/31/16</p> <p>Public Policy Fellowships CTD 8/1/14 – 7/31/16</p> <p>TCDD approved an Executive Summary for up to four new Leadership and Advocacy Training projects on 8/8/14.</p> <p>TCDD awarded Outreach and Development grants to groups of people who strongly identify with an ethnic or racial minority group: ALMA 1/1/13 – 12/31/13 REACH 9/1/13 – 8/31/14 ARCF 7/1/13 – 6/30/14 Moody Clinic 1/1/14 – 12/31/14 Arc del Paso 1/1/14 – 12/31/14 Growing Roots 7/1/14 – 6/30/14 Nuevo Horizontes de Starr County 9/1/14 – 8/31/15</p> <p>Circle of 10 (1/1/12 – 12/31/14) assisted these grantees to develop sustainability.</p> <p>TCDD provided funding to help people with IDD or family members to attend conferences or to serve on boards, committees, and workgroups.</p> <p>Staff provided mentoring as able to individuals with developmental disabilities and family members who are involved in public policy work.</p>	<p>Continue to monitor, provide technical assistance as needed, and evaluate.</p> <p>Post RFP for second round of Public Policy Fellowships.</p> <p>Post Leadership Development and Advocacy Training RFP.</p> <p>Continue to work to address disparities and disproportionality experienced by people who are black, Asian, Hispanic, or Native American.</p> <p>Consider other activities to assist grantees establish sustainability and track outcomes, as appropriate.</p> <p>Continue to provide stipends and to support individuals to serve on boards, committees, and workgroups as necessary.</p> <p>Continue to provide mentoring as able.</p>
Goal 7: Each year the Council and its Committees receive staff and administrative support to effectively implement the activities for at least 90% of all identified objectives noted under Goals 1-6, by		

September 30, 2016.		
Objective	Status as of 9/30/2014	Suggested Next Step(s)
<p><u>Objective 1</u> Each year of the State Plan, provide input representing the philosophies and positions of the Council on public policy issues affecting people with developmental disabilities at ninety percent (90%) of occasions and, when possible, offer concrete policy alternatives to ensure that individuals and families can access and maintain self-directed community-based services and supports of their choice.</p>	<p>Staff researched and provided input on 100% of all requests related to TCDD Public Policy Priorities.</p> <p>In addition to activities noted previously, TCDD: collaborated with others to provide input Greg Abbott's gubernatorial campaign's Director of Policy and hosted a Disability Issues Forum and survey for candidates for the offices of Governor, Lieutenant Governor, and Attorney General; provided comments on rules that have a high impact on people with developmental disabilities; provided grantees with technical assistance related to public policy implications; set up congressional visits and prepared leave behind folders for the TX delegation at the DD Network Policy Seminar in D.C.; provided conflict resolution training for disability rights advocates; mentored individual advocates (including self-advocates); and provided technical assistance to individuals and organizations as requested.</p>	<p>Continue to implement and track activities.</p>

Objective	Status as of 9/30/2014	Suggested Next Step(s)
<p><u>Objective 2</u> Each year of the State Plan, coordinate the Council's planning, project development, evaluation, and reporting processes, with special attention to strategies to address issues related to the diversity of ethnicity, age, income, and geographic area of Texas and provide updates to the Council on State Plan implementation at least four times yearly.</p>	<p>TCDD submitted an updated State Plan and an Annual Program Performance Report on time, with no corrections or changes required.</p> <p>Four Executive Summaries were prepared, reviewed, and approved. Three RFPs were posted and independent review panels held for each. A special review panel (independent experts, staff, and Council members) was facilitated for two proposals, and in-house review panels were facilitated for four Outreach and Development Proposals.</p> <p>Discussions were initiated regarding the use of info-graphics to make materials more easily understandable.</p>	<p>Continue to implement and track activities.</p>
<p><u>Objective 3</u> Each year of the State Plan, support the Council to effectively use grant funding to reach identified goals with no lapse of funds greater than 1.5% in any fiscal year.</p>	<p>TCDD does not expect to lapse funds equal to or greater than 1.5%. 0.06% of total funds lapsed in FY 12; 0.257% in FY 11.</p> <p>Grants management staff provided support and oversight to approximately 38 different organizations conducting approximately 44 different projects plus 18 stipends grants. Grants staff completed:</p> <ul style="list-style-type: none"> • thirteen grantee independent audit and financial reviews • Negotiations for eight new grant projects • Continuations, extensions, or proposals for additional "Phase 2" funding for at least 32 projects • Wrap-ups for approximately seven projects • Monitoring for three different contracts to provide additional support to grantees • Processing of 18 stipends grants. 	<p>Continue to implement and track activities.</p>

Goal 7 (Continued)		
Objective	Status as of 9/30/2014	Suggested Next Step(s)
<p><u>Objective 4</u> Each year of the State Plan, support and coordinate at least 4 quarterly Council meetings and at least 12 meetings of the Council Committees and provide leadership and administrative coordination to implement Council approved activities.</p>	<p>TCDD held 4 quarterly Council meetings and 15 Committee meetings in FY14.</p> <p>TCDD hired three new staff and used the services of two temporary employees in FY14.</p> <p>TCDD completed a self-review and began undergoing an external review by the Texas Sunset Commission staff.</p>	
<p><u>Objective 5</u> Implement outreach and strategic communication activities to reach specific goals, with at least a 3% increase in established connections to organizations and individuals each year.</p>	<p>In FY14, TCDD's Twitter followers grew from 995 to 1165 (a 17% increase). Facebook fans expanded from 1198 to 1558 (30% increase). TCDD's email list expanded from 919 to 863 (6% decrease). Website visits grew from 81,766 to 120,884 (48% increase).</p> <p>TCDD published 27 new web posts, the FY 2013 Annual Report, and the 2013 Higher Education Guide for Students with Disabilities.</p>	Continue to implement and track activities.

**COMMITTEE OF THE WHOLE
DRAFT MINUTES
MAY 7, 2015**

COUNCIL MEMBERS PRESENT

Mary Durham, Council Chair
Hunter Adkins
Kimberly Blackmon
Kristine Clark
Gladys Cortez
Kristen Cox
Andrew Crim
Elaine Eisenbaum, UT CDS

Mary Faithfull, DRT
Stephen Gersuk
Manda Hall, DSHS
Jennifer Kaut, DARS
Penny Larkin, DADS
Ruth Mason
Scott McAvoy
Michael Peace

Brandon Pharris
Amy Sharp, A&M CDD
Cindy Swain, TEA
David Taylor
Lora Taylor
Richard Tisch
Nancy Walker, HHSC

COUNCIL MEMBERS ABSENT

Mateo Delgado
Diana Kern

Dana Perry
John Thomas

STAFF MEMBERS PRESENT

Roger Webb,
Executive Director
Barbara Booker
Martha Cantu
Belinda Carlton

Joanna Cordry
Cynthia Ellison
Ashley Ford
Wendy Jones
Linda Logan

Susan Mihalik
Jessica Ramos
Fernando Rodriguez
Joshua Ryf
Koren Vogel

GUESTS PRESENT

Annalee Chaumont
Susanne Elrod
Ivy Goldstein, DSHS

Shiloh Gonzales, DARS
Jan Newsom
Darryl Powell

Carl Risinger

CALL TO ORDER

The Committee of the Whole of the Texas Council for Developmental Disabilities convened on Thursday, May 7, 2015, in the Salon C/D Room of the Marriott Austin South, 441 South IH 35, Austin, TX 78745. Council Chair Mary Durham called the meeting to order at 9:35 AM.

1. INTRODUCTIONS

Council members, staff and guests introduced themselves.

2. PUBLIC COMMENTS

No public comments were offered.

3. CHAIR AND EXECUTIVE DIRECTOR REMARKS

Council members provided information about advocacy activities as well as personal updates of their family members.

TCDD Communications Coordinator Joshua Ryf introduced new Public Policy Assistant Ashley Ford who started in that position May 1, 2015. Ford has a Bachelor's Degree in Public Administration and did a year-long internship with State Representative Zerwas during the 83rd Texas Legislature.

Chair Durham discussed Committee assignments for members and noted that Lora Taylor has agreed to Chair the Public Policy Committee. She replaces Kristen Cox who was elected as Council Vice-Chair. Taylor has asked Kristine Clark to serve as Vice-Chair of that Committee. Other Committee assignments include Andy Crim to the Project Development Committee noting that he was not assigned to a Committee in his previous terms as Council Vice-Chair. New members Ruth Mason, Michael Peace and Brandon Pharris have requested assignment to the Public Policy Committee and John Thomas has requested assignment to the Project Development Committee. To maintain a balance of members on each Committee, Mateo Delgado and DARS representative Jennifer Kaut have agreed to move to the Project Development Committee. Council Vice-Chair Cox becomes Chair of the Audit Committee and past Committee Chair Crim remains on that Committee along with Scott McAvoy and John Thomas. Taylor rotates off the Audit Committee to serve as Chair of the Public Policy Committee.

MOTION: To approve Lora Taylor as Chair of the Public Policy Committee and to approve assignments to TCDD Committees as presented.

MADE BY: Mary Durham

SECOND: Brandon Pharris

The motion **passed** unanimously.

Chair Durham reported on the search for a new TCDD Executive Director. She noted that 123 applications were received of which 35 were found to meet the minimum qualifications in education and experience. The selection team scored those 35 on the documented knowledge, skills and abilities and then selected 7 for interviews. Those interviews are scheduled to take place May 27-29, 2015. The selection team expects to select 2-3 finalists for a second round of interviews to take place in early June. Durham noted that there is expected to be a gap in time between current Executive Director Roger Webb's retirement on June 12, 2015, and the date a new Executive Director will begin. The Executive Committee approved TCDD Operations Director Marta Cantu to serve as Acting Executive Director during this time period to ensure the organization continues to operate without disruption. Cantu will have signature authority for various business items and will be the point of contact to coordinate efforts of the TCDD management team.

Executive Director Webb reported on Sunset legislation for TCDD. HB 1679 to continue TCDD as an agency until 2027 was previously passed unanimously in the House and then heard in the Senate Health and Human Services Committee on Wednesday, May 6, 2015. HB 1679 was recommended by the Sunset Commission with unanimous support and passed in the House without opposition. It was also passed unanimously by the Senate Committee and is expected to be placed on the intent calendar for passage then will go to the Governor's office. There is no need for a conference committee between the House and Senate providing that the Senate approves the House version of the bill.

4. 84th TEXAS LEGISLATURE UPDATE

Public Policy Director Jessica Ramos provided an overview of key efforts of the 84th Texas Legislature. Ramos noted that with 25 days left in the session only 31 bills have been sent to the Governor. She provided key dates left in the session including the final days for the House and Senate to consider all bills. June 1, 2015 is the last day of the session and June 21, 2015 is the last day that the Governor can sign or veto any bill.

TCDD Public Policy Specialist Linda Logan reviewed legislation that would impact people with disabilities in the areas of mental health and employment. She discussed SB 1854 related to positive behavior supports and noted that it limits criteria regarding the use of restraints on students. Logan also discussed HB 2789 on Trauma Informed Care Training in state supported living centers and intermediate care facilities with the goal of reducing restraints on residents, and SB 188 which would remove parents' names from the child abuse and neglect registry for relinquishment of custody of children to state care in order to obtain mental health services. She also discussed employment bills on historically underutilized businesses and state implementation of the Workforce Innovation and Opportunity Act.

Ramos discussed budget items of interest including reductions to the interest lists for programs administered by the Department of Aging and Disability Services (DADS), Promoting Independence initiatives, attendant care wages, autism services and state supported living centers (SSLCs). She noted that a restructuring commission has been recommended to review the SSLC system and that Austin SSLC is recommended for closure by August 31, 2017. Ramos also reviewed the Sunset Commission recommendations and the Strike Force report on the restructure of Health and Human Services agencies. She noted that recommendations are constantly changing and staff would provide the latest information through the TCDD website with a final report at the end of the session.

TCDD Public Policy Specialist Belinda Carlton provided information on activities related to Guardianship Reform and Supported Decision Making. She reviewed the seven recommendations of the Guardianship Reform and Supported Decision Making (GRSDM) workgroup including that courts determine if guardianship alternatives work, courts determine if supports are available for the person, persons under guardianship should be allowed to determine where they live, a Bill of Rights for individuals under guardianship be established, agreements on Supported Decision making be developed, guardians visit individuals in institutions on a monthly basis, and language be changed from "ward" to "person under guardianship". Carlton reviewed legislation regarding these recommendations noting that HB 39, which unanimously passed the House, includes the provisions on requiring courts to determine if guardianship alternatives work and if supports are available as well as allowing individuals to make decisions on living arrangements. HB 3 also incorporated provisions establishing supported decision-making as a new alternative to guardianship. Carlton noted that this legislation provides a good chance that the first four recommendations from the GRSDM workgroup will become law. It is possible that a Bill of Rights could be established but she expects the last two recommendations will still need to be addressed in future legislative sessions. Carlton also noted that self-advocates provided testimony on these bills and played a video of one advocate's testimony.

5. COUNCIL MEMBER TRAINING: THE HISTORY OF TCDD AND THE DD ACT

Executive Director Webb provided an overview of the key changes to the DD Act and TCDD since 1971. He discussed how TCDD evolved from the Texas Governor's Planning and Advisory Council on Developmental Disabilities with the Texas Department of Mental Health and Mental Retardation administering the state plan to Texas Rehabilitation Commission providing administrative support and finally to the establishment of Texas Education Agency as the designated state agency to provide administrative services. Through changes to the DD Act and state law, TCDD has become a stronger, more independent agency carrying out the state plan developed by the Council through grant projects and public policy activities. Webb reviewed the change in focus of TCDD activities from planning and construction activities to focus on community services. He discussed the importance of listening to constituents as well as including people with developmental disabilities in the decision making process. Webb reviewed the accomplishments of TCDD grant projects and noted how many organizations that are currently in existence and provide services to people with disabilities began as TCDD projects. These include Any Baby Can, EveryChild, Inc., Texas Council on Offenders with Mental Impairments, the state's 211 Information and Referral Network, and personal assistance services and respite services programs. Webb noted challenges for TCDD on the issues of guardianship reform, employment, self-advocacy and cultural understanding. He also provided guidance for the future from his personal reflections.

Council members and staff recognized Webb for his 31 years of service to TCDD and people with disabilities. Members spoke about his impact in their lives. Council Chair Mary Durham and former Council Chair Jan Newsom discussed their admiration of his work and their appreciation for his dedication to the Council.

6. GRANT PROJECT HIGHLIGHTS

TCDD Grants Management Specialist Wendy Jones reviewed highlights of the leadership development and advocacy skills training grant projects. Five projects with the intent of creating programs that provide leadership development and advocacy skills training for people with developmental disabilities, their families and allies are in the final year of a 3-year project. Project MOVE from the Arc of Texas partnered with local chapters and others to provide training for 234 individuals in eight communities during the first two years of the project. Project SAVE from Texas Advocates trained and supported SSLC residents and community organizations to create change for themselves and their communities. The Texas Statewide Independent Living Council developed the Independent Living Conference as a 2-day event targeting consumers, family members, service providers, rehabilitation counselors and other stakeholders. Grassroots Advocacy Information Network (GAIN) from the Arc of Dallas developed two 12-week sessions entitled iLead that has trained over 338 individuals in school districts as well as through provider agencies. Project LEAD from Texas A&M University has provided self-determination training for over 300 students in the Bryan/College Station area as well as parent seminars on issues such as higher education, health care and employment.

7. PUBLIC INFORMATION REPORT

TCDD Communications Coordinator Joshua Ryf reviewed public information activities during the previous quarter. Ryf discussed the Council's social media efforts and updated members on the number of Facebook fans and Twitter followers who receive TCDD posts. He discussed the "Side-by-Side" campaign which was a national effort celebrating Developmental Disabilities Awareness month and showcased Council members and their families and friends as they engaged in activities that included individuals with disabilities. Ryf reviewed TCDD's 2014 Annual Report which was

formatted with infographics to highlight Council activities. He also noted that over 5000 copies of the Higher Education Resource Guide were distributed in March.

8. TCDD STATE PLAN

TCDD Planning Coordinator Joanna Cordry discussed the TCDD State Plan and the process to develop goals and objectives for the next State Plan for F 201 – F 2021. The State Plan will take one year to develop with preliminary discussion taking place during the August 2015 meetings, goals will be selected during the November 2015 meetings and objectives will be developed during the February 2016 meetings. During the May 2016 meetings, the Council will review the draft goals and objectives and prepare to solicit public comment. The state plan will be posted for public comment between May and August 2016 with final approval at the August 2016 meetings allowing for the state plan to be submitted by the deadline in August. Cordry discussed the requirements of the plan and the need to include measurable outcomes noting that a current focus of the federal governing agency is on measurement in addition to self-advocacy and cultural responsiveness.

Cordry then discussed possible revisions to the F 201 – F 201 State Plan Goals and Objectives. She noted that recommended changes to the state plan reflect current work of the Council and are not “amendments” that would require public comment. She reviewed progress in the areas of education, employment, educational campaigns, transportation, community supports, leadership and advocacy, and staff support. Cordry recommended revisions to include:

- Goal 1, Objective 3 o Education by adding an activity of continuing to promote widespread use of positive behavior interventions and supports in schools and communities
- Goal 2, Objective 5 on Employment to initiate one activity on persons with developmental disabilities and their families understanding employment while maintaining benefits
- Goal 3 o Educational Campaigns to reduce the number of campaigns to one but to provide technical assistance to community members and organizations as needed.

Members briefly discussed the proposed revisions.

MOTION: To recommend Council approval of revisions to the F 201 – F 201 State Plan as presented.

MADE BY: Andy Crim

SECOND: Lora Taylor

It was suggested that this could be further discussed in the Public Policy Committee and Project Development Committee meetings but the majority of members did not feel this was necessary. The motion **passed** without opposition. Kristen Cox abstained from voting.

ADJOURN

Council Chair Durham adjourned the Committee of the Whole adjourned at 2:37 PM.

Roger A. Webb
Secretary to the Council

Date

Quarterly Council and Committee Meetings

Tentative Dates

November 4-6, 2015

February 3-5, 2016

May 4-6, 2016

August 3-5, 2016

Council Meeting

Agenda Item 12.

Expected Action:

Discussion only; no action is anticipated.